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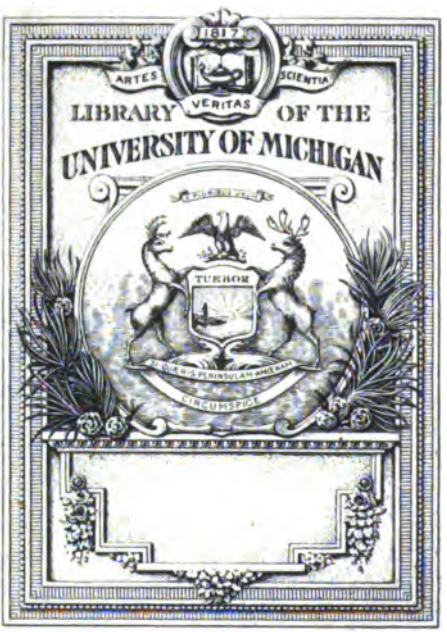
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JOURNAL

OF THE

ASSEMBLY

OF THE

STATE OF NEW YORK

AT THEIR

ONE HUNDRED AND THIRTY-FOURTH SESSION

BEGUN AND HELD AT THE CAPITOL IN THE CITY OF ALBANY
ON WEDNESDAY, THE FOURTH DAY OF JANUARY, 1911

VOLUME I

ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1911

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My translation

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JOURNAL OF THE ASSEMBLY.

STATE OF NEW YORK:

ASSEMBLY CHAMBER IN THE CITY OF ALBANY,

WEDNESDAY, JANUARY 4, 1911.

Pursuant to section six of article ten of the Constitution of this State, the gentlemen whose names are given in the following list appeared in the Assembly Chamber. The said list contains the names of the representatives elected to the Assembly in the several Assembly districts.

County.	Dist.	Name.
Albany	1	Harold J. Hinman.
	2	William E. Nolan.
	3	Robert B. Waters.
Allegany		Jesse S. Phillips.
Broome		Charles S. Butler.
Cattaraugus		Ellsworth J. Cheney.
Cayuga		Nelson L. Drummond.
Chautauqua	1	Julius Lincoln.
	2	John L. Sullivan.
Chemung		Robert P. Bush.
Chenango		Walter A. Shepardson.
Clinton		John B. Trombly.
Columbia		Randall N. Saunders.
Cortland		Charles F. Brown.
Delaware		Clayton L. Wheeler.
Dutchess	1	Ferdinand A. Hoyt.
	2	Lewis Stuyvesant Chanler.
Erie	1	James S. Dawson.
	2	Oliver G. La Reau.
	3	Leo J. Neupert.

County.	Dist.	Name.
Erie	4	Edward D. Jackson.
	5	Richard F. Hearn.
	6	Anthony H. Monczynski.
	7	Godfried H. Wende.
	8	Clarence MacGregor.
	9	Frank B. Thorn.
Essex		James Shea.
Franklin		Alexander Macdonald.
Fulton and Hamilton		Alden Hart.
Genesee		Clarence Bryant.
Greene		J. L. Patrie.
Herkimer		Judson Bridenbecker.
Jefferson	1	Lewis W. Day.
	2	John G. Jones.
Kings	1	Edmund R. Terry.
	2	William J. Gillen.
	3	Michael A. O'Neil.
	4	Clarence W. Donovan.
	5	Abraham F. Lent.
	6	John H. Gerken.
	7	Daniel F. Farrell.
	8	John J. McKeon.
	9	Edmund O'Connor.
	10	Fred'k M. Ahern.
	11	William W. Colné.
	12	Sydney W. Fry.
	13	John H. Donnelly.
	14	James E. Fay.
	15	John J. O'Neill.
	16	John F. Jameson.
	17	Edward A. Ebbets.
	18	Almeth W. Hoff.
	19	Jacob Schifferdecker.
	20	George F. Carew.
	21	Harry Heyman.
	22	Joseph T. Geatons.
	23	Louis Goldstein.

County.	Dist.	Name.
Lewis		Robert E. Gregg.
Livingston		John C. Winters, Jr.
Madison		Kirk B. Delano.
Monroe	1	Edward H. White.
	2	Simon L. Adler.
	3	August V. Pappert.
	4	Cyrus W. Phillips.
	5	William T. Keys.
Montgomery		Richard A. Brace.
Nassau		Henry A. Hollmann.
New York	1	Thomas B. Caughlan.
	2	Alfred E. Smith.
	3	James Oliver.
	4	Aaron J. Levy.
	5	James J. Walker.
	6	Harry Kopp.
	7	Peter P. McElligott.
	8	Moritz Graubard.
	9	John C. Hackett.
	10	Harold Spielberg.
	11	John J. Boylan.
	12	James A. Foley.
	13	James J. Hoey.
	14	John J. Herrick.
	15	Ashton Parker.
	16	Martin G. McCue.
	17	Franklin Brooks.
	18	Mark Goldberg.
	19	Andrew F. Murray.
	20	Patrick J. McGrath.
	21	Joseph A. Warren.
	22	Edward Weil.
	23	Frederick A. Higgins.
	24	Thomas A. Brennan.
	25	Artemus Ward, Jr.
	26	Abram Goodman.
	27	Walter R. Herrick.

County.	Dist.	Name.
New York	28	Jacob Levy.
	29	Harold J. Friedman.
	30	Louis A. Cuvillier.
	31	Max Shlivek.
	32	Thomas F. Turley.
	33	John Gerhardt.
	34	Seymour Mork.
	35	Thomas F. Egan.
Niagara	1	Benj. F. Gould.
	2	Henry A. Constantine.
Oneida	1	John W. Manley.
	2	Herbert E. Allen.
	3	James T. Cross.
Onondaga	1	James E. Connell.
	2	Fred. W. Hammond.
	3	Thomas K. Smith.
Ontario		Thomas B. Wilson.
Orange	1	Caleb H. Baumes.
	2	John D. Stivers.
Orleans		Frank A. Waters.
Oswego		Thaddeus C. Sweet.
Otsego		Chester A. Miller.
Putnam		John R. Yale.
Queens	1	Andrew Zorn.
	2	Alfred J. Kennedy.
	3	Owen E. Fitzpatrick.
	4	Harry I. Huber.
Rensselaer	1	Frederick C. Filley.
	2	Bradford R. Lansing.
Richmond		William A. Shortt.
Rockland		Geo. A. Blauvelt.
St. Lawrence	1	Fred J. Gray.
	2	Edwin A. Merritt, Jr.
Saratoga		William M. Martin.
Schenectady		John C. Myers.
Schoharie		Daniel D. Frisbie.
Schuyler		John W. Gurnett.

County.	Dist.	Name.
Seneca		Charles W. Cosad.
Steuben	1	Thomas Shannon.
	2	John Seeley.
Suffolk	1	De Witt C. Talmage.
	2	Frederick Sheide.
Sullivan		John K. Evans.
Tioga		Otis S. Beach.
Tompkins		Minor McDaniels.
Ulster	1	George Washburn.
	2	Samuel C. Waring.
Warren		Henry E. H. Brereton.
Washington		James S. Parker.
Wayne		Albert Yeomans.
Westchester	1	Harry W. Haines.
	2	William S. Coffey.
	3	Frank L. Young.
	4	John Ambrose Goodwin.
Wyoming		Henry A. Pierce.
Yates		Frank McA. Collin.

The members were called to order at 12 o'clock, noon, by Ray B. Smith, Clerk of the last Assembly.

The proceedings were opened with prayer by Rev. E. B. Terry, Brooklyn.

The Clerk then called the roll as presented by the Secretary of State, and the following members responded:

Adler	Donovan	Hammond	McElligott	Shortt
Ahern	Drummond	Hearn	McGrath	Smith A E
Allen	Ebbetts	Herrick J J	McKeon	Smith T K
Baumes	Egan	Herrick W R	Merritt	Spielberg
Blauvelt	Evans	Heyman	Miller	Stivers
Boylan	Farrell	Higgins	Monczynski	Sullivan
Brace	Fay	Hinman	Mork	Sweet
Brennan	Filley	Hoey	Murray	Talmage
Brereton	Fitzpatrick	Hoff	Myers	Terry
Bridenbecker	Foley	Hollmann	Neupert	Thorn
Brown	Friedman	Hoyt	Nolan	Trombly
Bush	Frisbie	Huber	O'Connor	Turley
Butler	Fry	Jackson	Oliver	Walker
Carew	Geatons	Jameson	O'Neill J J	Ward
Caughlan	Gerhardt	Jones	O'Neil M A	Waring
Chanler	Gerken	Kennedy	Pappert	Warren
Cheney	Gillen	Keys	Parker J S	Washburn
Coffey	Goldberg	Lansing	Patrie	Waters F A

Collin	Goldstein	LaReau	Phillips C W	Waters R B	
Colné	Goodman	Levy A J	Phillips J S	Weil	
Connell	Goodwin	Levy J	Saunders	Wende	
Constantine	Gould	Lincoln	Schifferdecker	White	
Cosad	Graubard	Macdonald	Seeley	Wilson	
Cross	Gray	MacGregor	Shannon	Winters	
Cuvillier	Gregg	Manley	Shea	Yale	
Dawson	Gurnett	Martin	Sheide	Yeomans	
Day	Hackett	McCue	Shepardson	Young	
DeLano	Haines	McDaniels	Shlivek	Zorn	142
Donnelly	Hart				

A quorum having answered to their names, the Clerk announced the first business was the election of Speaker.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the House do now proceed to the election of Speaker; that the roll of members be called by the Clerk, and that each member, as his name is called, rise in his place and openly name his choice for such office.

The Clerk put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House then proceeded to the election of Speaker.

The Clerk called the roll of members, whereupon each member, as his name was called, arose in his place and nominated as follows:

FOR DANIEL D. FRISBIE.

Blauvelt	Egan	Gurnett	Martin	Schifferdecker	
Boylan	Evans	Hackett	McCue	Seeley	
Brace	Farrell	Hearn	McDaniels	Sheide	
Brennan	Fay	Herrick J J	McElligott	Shortt	
Bridenbecker	Fitzpatrick	Herrick W R	McGrath	Smith A E	
Bush	Foley	Heyman	McKeon	Spielberg	
Carew	Friedman	Hoey	Miller	Terry	
Caughlan	Fry	Hollmann	Monczynski	Trombly	
Chanler	Geatons	Hoyt	Mork	Turley	
Collin	Gerhardt	Huber	Myers	Walker	
Cosad	Gerken	Jackson	Neupert	Warren	
Cuvillier	Gillen	Jameson	Oliver	Washburn	
Dawson	Goldberg	Kennedy	O'Neill J J	Weil	
Day	Goldstein	LaReau	O'Neil M A	Wende	
Donnelly	Gould	Levy A J	Parker A	Wheeler	
Donovan	Graubard	Levy J	Patrie	Zorn	
Drummond	Gregg	Manley	Saunders		84

FOR EDWIN A. MERRITT, JR.

Adler	Constantine	Hoff	Parker J S	Talmage
Ahern	Cross	Jones	Phillips C W	Thorn
Allen	DeLano	Keys	Phillips J S	Ward
Baumes	Ebbetts	Kopp	Pierce	Waring
Brereton	Filley	Lansing	Shannon	Waters F A
Brooks	Goodman	Lent	Shea	Waters R B

Brown	Goodwin	Lincoln	Shepardson	White
Bryant	Gray	Macdonald	Shlivek	Wilson
Butler	Haines	MacGregor	Smith T K	Winters
Cheney	Hammond	Murray	Stivers	Yale
Coffey	Hart	Nolan	Sullivan	Yeomans
Colné	Higgins	Pappert	Sweet	Young
Connell	Hinman			62

Daniel D. Frisbie having received a majority of all the votes cast, the Clerk declared him duly elected Speaker of the Assembly of 1911, and appointed Messrs. A. E. Smith and Merritt a committee to conduct the Speaker-elect to the Chair.

Mr. Speaker, on taking the Chair, addressed the House as follows:

Gentlemen of the Assembly:

I am deeply sensible of the high honor which comes to a citizen of the State of New York who is chosen by his associates to fill the office of Speaker of the Assembly. Called to this responsible position by your kind partiality and by the unanimous action of my party associates, I assure you of my sincere and deep appreciation.

I shall endeavor to justify your confidence by an impartial, just and upright discharge of the duties of presiding officer to the end that the rights of each individual member may be preserved and that justice may be done the people of each district in the State through their chosen representatives.

To accomplish this result I shall need and earnestly solicit your cordial support and co-operation in the discharge of the difficult and trying duties which cluster around the Speakership.

We meet under unusual conditions. As the result of a most emphatic expression of the popular will, the Democratic party has been entrusted with power in every branch of the State government. With power comes responsibility. It is our duty to accept the share of responsibility which comes to us as a co-ordinate branch of the Legislature and to so shape legislation as to redeem the solemn pledges made to the people by the enactment of wise and just laws, the correction of abuses and the modification of such laws as are odious and burdensome to the people.

This I interpret to mean the enactment of a primary law that shall give every voter an opportunity to cast his vote for his chosen candidate and assure the honest count of that vote, with an opportunity to appeal to the courts for the redress of any wrongs. It means the passage of a law providing for direct nomination of candidates for public office which shall be State-wide in its application.

It means the adoption by the State of New York through its Legislature of the constitutional amendment providing for the election of United States senators by direct vote of the people, in order that those chosen to that powerful position may be more responsive to the will of the people.

It means the adoption of the amendment to the Federal constitution permitting the national government to levy an income tax, whenever the exigencies of the nation may require it.

It means that the strictest economy shall be exercised in the expenditure of the public revenues, that unnecessary offices and expenses shall be abolished, that the State shall receive a dollar's worth for every dollar expended, that no new scheme calling for an expenditure of money shall be sanctioned until present undertaking are completed and that no more money shall be appropriated than the State has in prospective revenues for any given year. A contrary policy, prevailing for years brought the taxpayers of the State during the last session face to face with a direct State tax.

Agriculture being the source of wealth and its products being the necessaries of life, should be fostered by friendly legislation and as liberal appropriations as the financial condition of the State warrants.

This great interest is menaced by a large number of abandoned farms and a small average yield of products per acre. These serious conditions must be met if New York is to retain her place among the leading agricultural States of the Union. The State Agricultural College and the several agricultural schools should be maintained, in order that improved scientific methods may be taught the younger generation of farmers.

The State is expending a vast sum of money in the construction of the barge canal and the retiring Governor has indicated that a divided responsibility is detrimental to its speedy completion and tends to lax business methods. If legislation is needed to simplify and improve the work of administration, we should enact measures which will work a reform.

The State is engaged in the construction of a system of modern highways, which when completed will confer a vast benefit upon the farming and commercial interests of the State. It is, therefore, important that their construction be hastened as rapidly as is consistent with substantial and lasting improvement.

Home rule has long been the shibboleth of the party now in control. Let us now grant to the cities of our State such laws as will give the municipalities real, practical and reasonable control of their local affairs, so long denied by an unfriendly majority.

Too many drastic laws have been enacted in recent years

tending to harass, annoy and retard the development of the business interests of the State. The time has come to give business a rest. Fewer laws and better enforcement are needed. Our attitude should be such as will tend to restore public confidence and hasten the return of widely diffused prosperity.

The investigating committees appointed at the last session of the Legislature will submit their reports in due season, and I commend to your careful consideration the facts established, to the end that such remedial legislation as is needed may be enacted.

The chief executive of our State in his personality and announced policy truly represents the intelligent and patriotic sentiment of the State. It is our duty to uphold and support his policies, to act in harmony with him, that his administration may meet the just expectations of the people.

I pledge to you the active co-operation of your Speaker that the present session may prove notable in the State's history for honest, economical and progressive legislation, in order that the aspirations of our citizens, irrespective of party, for better government may be realized.

Let us demonstrate that the party now in control is, in the present generation, capable of constructive statesmanship of the same high order as that of the fathers.

Let us fulfill every pledge made to the people and they will continue to trust us.

Mr. Miller offered for the consideration of the House a resolution, in the words following:

Resolved, That the House do now proceed to the election of Clerk; that the roll of members be called by the Clerk, and that each member, as his name is called, rise in his place and openly name his choice for such office.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker directed the Clerk to call the roll, when each member, as his name was called, nominated as follows:

FOR LUKE McHENRY.

Blauvelt	Egan	Gurnett	Martin	Schifferdecker
Boylan	Evans	Hackett	McCue	Seeley
Brace	Farrell	Hearn	McDaniels	Sheide
Brennan	Fay	Herrick J J	McElligott	Shortt
Bridenbecker	Fitzpatrick	Herrick W R	McGrath	Smith A E
Bush	Foley	Heyman	McKeon	Spielberg
Carew	Friedman	Hoey	Miller	Terry
Caughlan	Fry	Hollman	Monczynski	Trombly
Chanler	Geatons	Hoyt	Mork	Turley
Collin	Gerhardt	Huber	Myers	Walker

Cosad	Gerken	Jackson	Neupert	Warren	
Cuvillier	Gillen	Jameson	Oliver	Washburn	
Dawson	Goldberg	Kennedy	O'Neill J J	Weil	
Day	Goldstein	LaReau	O'Neil M A	Wende	
Donnelly	Gould	Levy A J	Parker A	Wheeler	
Donovan	Graubard	Levy J	Patrie	Zorn	
Drummond	Gregg	Manley	Saunders		84

FOR RAY B. SMITH.

Adler	Constantine	Hoff	Parker J S	Talmage	
Ahern	Cross	Jones	Phillips C W	Thorn	
Allen	DeLano	Keys	Phillips J S	Ward	
Baumes	Ebbetts	Kopp	Pierce	Waring	
Brereton	Filley	Lansing	Shannon	Waters F A	
Brooks	Goodman	Lent	Shea	Waters R B	
Brown	Goodwin	Lincoln	Shepardson	White	
Bryant	Gray	Macdonald	Shlivek	Wilson	
Butler	Haines	MacGregor	Smith T K	Winters	
Cheney	Hammond	Merritt	Stivers	Yale	
Coffey	Hart	Murray	Sullivan	Yeomans	
Colné	Higgins	Nolan	Sweet	Young	
Connell	Hinman	Pappert			63

Luke McHenry having received a majority of all the votes cast, Mr. Speaker declared Luke McHenry duly elected Clerk of the Assembly for 1911.

Mr. Speaker administered the oath of office to Luke McHenry, Clerk-elect.

Mr. Patrie offered for the consideration of the House a resolution, in the words following:

Resolved, That Lee F. Betts be and be hereby is elected Sergeant-at-Arms of the Assembly for the session of 1911.

Mr. Ward moved to amend said resolution by striking out the name of Lee F. Betts and inserting the name of Ward T. Clute.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Ward, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared Lee F. Betts duly elected Sergeant-at-Arms of the Assembly for the session of 1911.

Mr. Sheide offered for the consideration of the House a resolution, in the words following:

Resolved, That Joseph Hurley be and he hereby is elected principal doorkeeper of the Assembly for the session of 1911.

Mr. Hinman moved to amend said resolution by striking out the name of Joseph Hurley and inserting the name of Andrew Kean.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Hinman, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared Joseph Hurley duly elected principal doorkeeper of the Assembly for the session of 1911.

Mr. Coughlin offered for the consideration of the House a resolution, in the words following.

Resolved, That Edward Bourne be and he hereby is elected first assistant doorkeeper of the Assembly for the session of 1911.

Mr. J. S. Parker moved to amend said resolution by striking out the name of Edward Bourne and inserting the name of D. C. Easton.

Mr. Speaker put the question whether the House would agree to said motion of Mr. J. S. Parker, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared Edward Bourne duly elected first assistant doorkeeper of the Assembly for the session of 1911.

Mr. Wende offered for the consideration of the House a resolution, in the words following:

Resolved, That Edward Murphy be and he hereby is elected second assistant doorkeeper of the Assembly for the session of 1911.

Mr. Sweet moved to amend said resolution by striking out the name of Edward Murphy and inserting the name of Russell Quonce.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sweet, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared Edward Murphy duly elected second assistant doorkeeper of the Assembly for the session of 1911.

Mr. Gurnett offered for the consideration of the House a resolution, in the words following:

Resolved, That Josiah B. Everts be and he hereby is elected stenographer of the Assembly for the session of 1911.

Mr. Colne moved to amend said resolution by striking out the name of Josiah B. Everts and inserting the name of Henry C. Lammert.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Colne, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared Josiah B. Everts duly elected stenographer of the Assembly for the session of 1911.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the Speaker of the Assembly appoint a committee on rules to consist of seven members. And that such committee report to the Assembly with all convenient speed a code of rules for the proper and expeditious conduct of the business of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed by the Speaker to wait upon the Governor and inform him that the Assembly is organized and ready to proceed to business.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. A. E. Smith and Merritt.

Mr. Foley offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed by the Speaker to wait upon the Senate and inform thaat honorable body that the Assembly is organized and ready to proceed to business.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Foley and J. S. Phillips.

Mr. Oliver offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk be requested to invite the clergymen of the city of Albany in charge of parishes to open the daily sessions of this Assembly with prayer.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Manley offered for the consideration of the House a resolution, in the words following:

Resolved, That upon the approval of the Speaker the Clerk of the Assembly be and he hereby is directed to arrange seats for the accommodation of the representatives of the press.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Gerhardt offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk of the Assembly be authorized to make the usual contracts with the postmaster of the city of Albany and the express companies for the transmission of papers and documents.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hoey offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed by the Speaker to prepare ballots for the drawing of seats, to examine the same and report to the Assembly; after which the members shall retire to the rear and back of the railing in the Assembly Chamber and as their names are drawn from the box, shall come forward and make their choice and retain such seat until the close of the drawing.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. A. J. Levy and Yale.

Senators Harte and Travis, a committee on the part of the Senate, appeared and announced that the Senate was duly organized and ready to proceed to business.

Mr. A. E. Smith, from the committee appointed to wait upon the Governor, reported that they had performed that duty.

Mr. Foley, from the committee appointed to wait upon the Senate, reported that they had performed that duty.

Senators Ferris and Platt, a committee on the part of the Senate, appeared and announced that the Senate had elected Robert F. Wagner President pro tem. of the Senate.

A message from the Governor by the hand of his Secretary was received, in the words following:

(See Assembly Document No. 2.)

which was read, ordered printed and referred topic by topic to the appropriate committees when appointed.

At one-thirty o'clock P. M., on motion of Mr. A. E. Smith, the House took a recess of fifteen minutes to allow the members to call upon Governor John A. Dix.

ONE-FORTY-FIVE O'CLOCK P. M.

The House again convened.

Mr. Speaker presented the report of the Comptroller on the expenditures of the canals, which was laid upon the table and ordered printed.

(See Assembly Document No. 12.)

Also, the annual report of the Comptroller, which was laid upon the table and ordered printed.

(See Assembly Document No. 10.)

Also, the special report of the State Commission in Lunacy, which was laid upon the table and ordered printed.

(See Senate Document No. 4.)

Also, the Seventeenth Annual Report of the Craig Colony for Epileptics, which was laid upon the table and ordered printed.

(See Assembly Document No. 9.)

Mr. A. J. Levy, from the committee on drawing of seats, presented the following report:

Your committee appointed on the drawing of seats would respectfully report and recommend that all members now serving their fifth term or longer be first entitled to select their seats, and that the balance of the seats be drawn in the following order; That members shall be divided into four classes, and be drawn in the order of their class.

First.— Members serving the fourth term in the Assembly shall be placed in class one and their names drawn.

Second.— Members serving their third term in the Assembly shall be placed in class two and their names drawn.

Third.— Members serving their second term in the Assembly shall be placed in class three and their names drawn, and the balance, those serving their first terms, shall be placed in class four and their names drawn, which report was agreed to.

The drawing of seats resulted as follows:

Adler	29	Constantine	113
Ahern	120	Cosad	7
Allen	51	Cross	86
Baumes	80	Cuvillier	108
Beach	90	Dawson	58
Blauvelt	89	Day	93
Boylan	39	DeLano	27
Brace	129	Donnelly	19
Brennan	66	Donovan	98
Brereton	87	Drummond	92
Bridenbecker	110	Ebbetts	82
Brooks	114	Egan	67
Brown	84	Evans	62
Bryant	125	Farrell	31
Bush	4	Fay	18
Butler	126	Filley	55
Carew	145	Fitzpatrick	91
Caughlan	42	Foley	71
Chanler	69	Friedman	95
Cheney	77	Fry	121
Coffey	75	Geatons	141
Collin	111	Gerhardt	13
Colne	24	Gerken	32
Connell	28	Gillen	34

Goldberg 41
Goldstein 139
Goodman 143
Goodwin 74
Gould 106
Graubard 16
Gray 47
Gregg 148
Gurnett 3
Hackett 20
Haines 25
Hammond 23
Hart 124
Hearn 59
Herrick, J. J. 17
Herrick, W. R. 103
Heyman 146
Higgins 79
Hinman 30
Hoey 70
Hoff 142
Hollmann 147
Hoyt 104
Huber 138
Jackson 37
Jameson 96
Jones 127
Kennedy 140
Keys 117
Kopp 8
Jansing 54
Lareau 133
Lent 122
Levy, A. J. 72
Levy, J. 64
Lincoln 88
Macdonald 48
MacGregor 76
Manley 65
Martin 102
McCue 40
McDaniels 2
McElligott 5
McGrath 38
McKeon 33
Merritt 44
Miller 136
Monczynski 134
Mork 101
Murray 26
Myers 14
Neupert 36
Nolan 50
O'Connor 97
Oliver 21
O'Neill, J. J. 57
O'Neil, M. A. 15
Pappert 116
Parker, A. 100
Parker, J. S. 46
Patrie 107
Phillips, C. W. 81
Phillips, J. S. 22
Pierce 150
Saunders 131
Schifferdecker 130
Seeley 144
Shannon 119
Shea 52
Sheide 135
Shepardson 11
Shlivek 112
Shortt 68
Smith, A. E. 43
Smith, T. K. 10
Spielberg 63
Stivers 12
Sullivan 85
Sweet 83
Talmage 149
Terry 1
Thorn 9
Trombley 61
Turley 105
Walker 6
Ward 49
Waring 118
Warren 99
Washburn 132
Waters, F. A. 123

Waters, R. B.	53	Winters	56
Weil	137	Yale	73
Wende	35	Yeomans	115
Wheeler	94	Young	45
White	78	Zorn	60
Wilson	128		

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *January* 4, 1911.

Resolved (if the Assembly concur), That when the Legislature adjourns this day it be to meet Thursday, January 12th, at 8:30 o'clock P. M.

By order of the Senate,

PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *January* 4, 1911.

Resolved (if the Assembly concur), That the Clerk of the Senate be directed to communicate with the proper committee of the House of Representatives through its chairman and request that no final action be taken by such committee on the proposed bill now before it, known as the Alexander Electric Power Bill, until the New York State authorities have an opportunity to examine its provisions, and be heard thereon.

By order of the Senate,

PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker presented the notice of contest of John W. Kenny

against Robert B. Waters declared by the county board of canvassers of Albany county to be elected a member of Assembly from the Third Assembly District of the county of Albany, which was referred to the committee on privileges and elections when appointed.

Mr. Speaker announced the following committee to report a code of rules for the Assembly: Mr. Speaker, Mr. A. E. Smith, Mr. Oliver, Mr. Bush, Mr. Foley, Mr. Merritt, Mr. J. S. Phillips.

On motion of Mr. A. E. Smith, the House adjourned until Thursday, January 12th, at eight-thirty o'clock, P. M.

THURSDAY, JANUARY 12, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Frank Wolford, Middleburgh.

On motion of Mr. A. E. Smith, the reading of the journal of Wednesday, January 4th, was dispensed with and the same was approved.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That Rules 1 and 5 of the Assembly as contained in the Blue Book of 1911 and Rule 6 as contained therein amended to read as follows:

6. Concurrent resolutions proposing amendments to the Constitution of the State and concurrent resolutions proposing or ratifying amendments to the Constitution of the United States shall for all legislative purposes, be deemed to be and be treated as bills. No bill shall be introduced in the House except in one of the following modes, viz.:

1. Bills may be deposited at any time during the session, in a box to be known as the "bill box," which shall be under the immediate charge of the Clerk, and which shall be kept securely locked until all bills so deposited are removed by him, or by a deputy clerk authorized by him. Every bill shall be in duplicate, and both shall be indorsed with a statement of the title, accompanied by the name of the member introducing it.

At the close of each day's session one of said bills so deposited

shall be handed by the Clerk to the Speaker for his examination after due record thereof has been entered in a book which shall be kept for that purpose. At the next regular session, as provided for in subdivision 2 of Rule 5, the Speaker shall announce the introduction of all bills thus received by him for their first reading, and thereupon shall refer them to the appropriate committees with the consent of the House.

The other of said bills having first been entered in the record book shall, on the day of their reception, be filed by the Clerk with the Librarian of the Assembly, who shall keep a record thereof, which together with the bills, shall, under his supervision, be subject to public inspection during the regular office hours of the library.

2. By report of a committee.
3. By order of the House.
4. By message from the Senate.

Are hereby adopted as Rules of the Assembly of 1911.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker presented the annual report of the State Commissioner of Excise, which was laid upon the table and ordered printed.

(See Senate Document No. 12.)

Also, the annual report of the Public Service Commission, second district, which was laid upon the table and ordered printed.

(See Assembly Document No. 11.)

Also, the annual report of the Superintendent of Onondaga Salt Springs, which was laid upon the table and ordered printed.

(See Assembly Document No. 8.)

Also, the Sixteenth Annual Report of the Forest, Fish and Game Commission, which was laid upon the table and ordered printed.

(See Assembly Document No. 20.)

Also, the annual report of the Attorney-General, which was laid upon the table and ordered printed.

(See Senate Document No. 9.)

Also, the annual report of the New York State Soldiers' and Sailors' Home at Bath, which was laid upon the table and ordered printed.

(See Assembly Document No. 7.)

Mr. A. E. Smith introduced a bill entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States relating to taxes on incomes" (Int. No. 1), which was read the first time and referred to the committee on the judiciary.

Mr. Sheide introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for certain wild fowl on Long Island" (Int. No. 2), which was read the first time and referred to the committee on fisheries and game.

Mr. Coffey introduced a bill entitled "An act to provide for the erection of a new armory building in the city of Mount Vernon, New York, the acquisition of a site for the same, and making an appropriation therefor, and providing for the sale of the old armory site and buildings, and the application of the proceeds to such new building and for other purposes relative to the same" (Int. No. 3), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend chapter one hundred and seventy-six of the Laws of nineteen hundred and five, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon, and authorizing such city to raise money therefor by the issue of bonds'" (Int. No. 4), which was read the first time and referred to the committee on affairs of cities.

Also, "An act relating to the repaving of West Lincoln avenue and West First street, as widened, from Eleventh avenue to the New York city line, in the city of Mount Vernon" (Int. No. 5), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the annual budget of the board of education" (Int. No. 6), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to legalize, ratify and confirm the proceedings of the qualified voters and town board of the town of Eastchester, in the county of Westchester, the officers and agents thereof, and the proceedings of the board of supervisors of said county, in the matter of the sale and award of the bonds of said town in the

amount of five thousand three hundred dollars, and to provide for the payment of the interest and principal thereof" (Int. No. 7), which was read the first time and referred to the committee on internal affairs.

Mr. Goldberg introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York its officers and marshals in relation to pleading on joinder of issue" (Int. No. 8), which was read the first time and referred to the committee on codes.

Also, "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to jury fees" (Int. No. 9), which was read the first time and referred to the committee on codes.

Mr. Oliver introduced a bill entitled "An act to amend the Penal Law, in relation to the sale and carrying of dangerous weapons" (Int. No. 10), which was read the first time and referred to the committee on codes.

Mr. Goodwin introduced a bill entitled "An act to authorize the board of education of Union Free School District Number Four of the town of Rye, in the county of Westchester, to issue certificates of indebtedness for unpaid school taxes, and to provide for the payment of such certificates" (Int. No. 11), which was read the first time and referred to the committee on internal affairs.

Mr. Hackett introduced a bill entitled "An act to amend the Greater New York charter relative to the powers and duties of the commissioner of street cleaning" (Int. No. 12), which was read the first time and referred to the committee on affairs of cities.

Mr. MacGregor introduced a bill entitled "An act to amend chapter two hundred and twenty-two of the Laws of eighteen hundred and seventy-nine, entitled 'An act to consolidate the several school districts in the town of Grand Island, Erie county, and to provide for the election of a board of education therein,' by adding two new sections with reference to distribution of funds" (Int. No. 13), which was read the first time and referred to the committee on public education.

Also, "An act authorizing the construction of a bridge over the

Erie canal at the road leading from the River road to the Grand Island ferry, in the town of Tonawanda, Erie county, and to make an appropriation therefor" (Int. No. 14), which was read the first time and referred to the committee on ways and means.

Also, "An act authorizing the common council and mayor of the city of Buffalo to convey by quitclaim deeds to abutting owners a strip of land lying between the present lines of Woodlawn avenue and private property adjacent thereto" (Int. No. 15), which was read the first time and referred to the committee on affairs of cities.

Mr. Mork introduced a bill entitled "An act to amend the Greater New York charter by providing for an additional municipal court justice for the borough of the Bronx" (Int. No. 16), which was read the first time and referred to the committee on affairs of cities.

Mr. Murray introduced a bill entitled "Concurrent resolution of the Senate and Assembly relative to the proposed amendment of the Constitution of the United States, ratifying the same" (Int. No. 17), which was read the first time and referred to the committee on the judiciary.

Mr. Oliver introduced a bill entitled "An act to provide for theatrical and other public performances in cities on Sundays" (Int. No. 18), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Penal Law, in relation to permitting labor and secular business on the first day of the week by certain persons" (Int. No. 19), which was read the first time and referred to the committee on codes.

Mr. Goldberg introduced a bill entitled "An act to amend the Penal Law in relation to firearms and ammunition" (Int. No. 20), which was read the first time and referred to the committee on codes.

Mr. Young introduced a bill entitled "An act to amend the Prison Law, in relation to the compensation of certain prison officers and employees" (Int. No. 21), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Highway Law, in relation to the laying of railroad tracks upon the Albany Post road within the county of Westchester" (Int. No. 22), which was read the first time and referred to the committee on internal affairs.

Mr. Jackson introduced a bill entitled "An act to amend the Railroad Law, relative to the better protection of the lives of railroad employees and the minimum number of employees to be employed in the operation of certain trains" (Int. No. 23), which was read the first time and referred to the committee on railroads.

Mr. Shea introduced a bill entitled "An act to legalize, ratify and confirm the proceedings of the town of North Elba in the adoption of the proposition to authorize the securing of site and erecting a town building in the west end of the town and to raise and appropriate the sum of eight thousand dollars for such purpose and to issue bonds therefor, and to legalize the bonds of such town sold and awarded in pursuance thereof to the amount of eight thousand dollars and to provide for the payment of the same" (Int. No. 24), which was read the first time and referred to the committee on internal affairs.

Mr. Higgins introduced a bill entitled "An act to amend the Election Law, in relation to nominations and primaries" (Int. No. 25), which was read the first time and referred to the committee on the judiciary.

Mr. Hart introduced a bill entitled "An act to legalize the proceedings of the city of Gloversville, leading up to and including its issuance and sale of bonds of said city in the amount of seventy-five thousand dollars for completing the erection of a high school building therein, and validate the bonds already issued and sold therefor, and to provide for the payment of the principal and interest of such bonds" (Int. No. 26), which was read the first time and referred to the committee on affairs of cities.

Mr. Evans introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to hunting hares and rabbits with ferrets in the county of Sullivan" (Int. No. 27), which was read the first time and referred to the committee on fisheries and game.

Also, "An act to amend the Forest, Fish and Game Law, in relation to hunting hares and rabbits with ferrets" (Int. No. 28), which was read the first time and referred to the committee on fisheries and game.

Also, "An act to provide for the completion of a dyke or dykes for the protection of property adjacent to the Delaware river in the

town of Highland, in the county of Sullivan, and making an appropriation therefor" (Int. No. 29), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Banking Law, in relation to authorized investments of savings banks" (Int. No. 30), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Penal Law, in relation to certain railroad employees" (Int. No. 31), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Village Law, in relation to election on proposition to incorporate" (Int. No. 32), which was read the first time and referred to the committee on affairs of villages.

Mr. Goldberg introduced a bill entitled "An act to amend the Code of Criminal Procedure relative to admitting the defendant to bail" (Int. No. 33), which was read the first time and referred to the committee on codes.

Mr. T. K. Smith introduced a bill entitled "An act to amend the Highway Law, relative to a renewal license of chauffeurs" (Int. No. 34), which was read the first time and referred to the committee on internal affairs.

Mr. Washburn introduced a bill entitled "An act to authorize the city of Kingston to borrow money for street improvements and issue bonds therefor" (Int. No. 35), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to authorize the city of Kingston to borrow money for the acquisition of a site and the construction of a building for city purposes" (Int. No. 36), which was read the first time and referred to the committee on affairs of cities.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That on Wednesday, January 18th at 12 o'clock, noon, the Senate and Assembly will meet in joint assembly, in the Assembly Chamber, to compare nominations for the office of Senator in Congress in the place of the Hon. Chauncey M. Depew, whose term of office will expire on the 4th day of March next.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Merritt offered for the consideration of the House a resolution, in the words following:

Whereas, A joint committee, consisting of three Senators appointed by the President of the Senate, and five Members of the Assembly appointed by the Speaker of the Assembly, was, by a concurrent resolution adopted by the Senate and Assembly of the State of New York at its one hundred and thirty-third session, "constituted and appointed a legislative committee to investigate as speedily as possible, all corruption and corrupt practices shown to exist by the evidence in the recent investigation had before the Senate of the State of New York; all matters indicating corrupt practices in connection with legislation which have developed in the recent investigation conducted by the superintendent of insurance; the business methods, operation, management, supervision and control of all insurance companies other than those doing life insurance business, including fire insurance exchanges and state local boards of fire underwriters and the relations of such companies, exchanges and boards with legislation, including industrial life insurance; any specific charge, verified upon knowledge of corrupt practices or official misconduct in connection with legislation or the Legislature or with any matter or proceeding before any State department, board, body or officer; and any other matters pertaining to the conduct of the business of the State and its officers which in the judgment of the committee warrants investigation, to the end that such remedial legislation may be enacted or change or method in the conduct of public business may be adopted as will prevent a recurrence of any abuses or evils disclosed." And

Whereas, Said committee was by said resolution directed to make a report of its proceedings, together with its recommendations to the Legislature, on or before the fifteenth day of January, 1911; and,

Whereas, Said committee requires additional time within which to prepare and submit a report of its proceedings together with its recommendations.

Resolved (if the Senate concur), That the said committee have until the 1st day of February, 1911, for the purpose of preparing and submitting to the Legislature a report of its proceedings together with its recommendations.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Adler	Donnelly	Hart	McGrath	Shlivek
Ahern	Donovan	Hammond	McKeon	Shortt
Beach	Drummond	Hearn	Merritt	Smith A E
Blauvelt	Ebbetts	Herrick W R	Miller	Smith T K
Boylan	Egan	Heyman	Monczynski	Spielberg
Brace	Evans	Higgins	Mork	Stivers
Brennan	Farrell	Hinman	Murray	Sullivan
Bridenbecker	Fay	Hoey	Myers	Talmage
Brooks	Filley	Hoff	Neupert	Terry
Brown	Fitzpatrick	Hollmann	Nolan	Trombly
Bryant	Foley	Hoyt	Oliver	Turley
Bush	Friedman	Huber	O'Neill J J	Walker
Butler	Fry	Jackson	O'Neil M A	Ward
Carew	Geatons	Jameson	Pappert	Waring
Caughlan	Gerhardt	Jones	Parker A	Warren
Chanler	Gerken	Kennedy	Parker J S	Washburn
Cheney	Gillen	Keys	Patrie	Waters F A
Coffey	Goldberg	Lansing	Phillips C W	Waters R B
Collin	Goldstein	LaReau	Phillips J S	Wende
Connell	Goodman	Lent	Pierce	Wheeler
Constantine	Goodwin	Lincoln	Saunders	White
Cosad	Gould	Macdonald	Schifferdecker	Wilson
Cross	Graubard	Martin	Seeley	Yale
Dawson	Gurnett	McCue	Shea	Yeomans
Day	Hackett	McDaniels	Sheide	Young
DeLano	Haines	McElligott	Shepardson	Zorn

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That unless otherwise specially ordered, the hours of daily meeting of the Assembly be as follows:

On Mondays at eight-thirty o'clock P. M.; on Tuesdays, Wednesdays and Thursdays at eleven o'clock A. M. and on Fridays at ten o'clock A. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker, from the committee on rules, reports in favor of the adoption of the following rules as contained in the Assembly Blue Book of 1911, as the rules for the Assembly of 1911:

Rules No. 1, 2, 3, 4, 7, 9, 11, 12, 13, 14, 16, 17, 20, 22, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54; and

Further, that the following rules contained in the Blue Book of 1911 be amended as follows:

Rule 5.— The first business of each day's session shall be the reading of the journal of the preceding day, and the correction of any errors that may be found to exist therein. Immediately thereafter, except on days and at times set apart for the consideration of special orders, the order of business, which shall not be departed from, except by a vote of two-thirds of the members present, to be determined by a call of the roll, shall be as follows:

1. Messages from the Governor, and from the Senate, communications from State officers, reports from State institutions and reports from the committees on revision and printed and engrossed bills.

2. First reading of a bill by its title and reference of the same.

3. Reports of standing committees in their order. (See Rule 18)

4. Reports of select committees.

After the foregoing orders have been finished, the following shall be the order of the day:

For Mondays:

1. Bills on second reading.
2. Bills on third reading.
3. Original resolutions [by counties in alphabetical order] during the months of January and February only.
4. Unfinished business (other than bills) may be considered.

For each other legislative day:

[Tuesdays:

1. Bills on third reading.
2. Bills on second reading.

For Wednesdays:]

1. Bills on second reading.
2. Bills on third reading.

[For Thursdays:

1. Bills on third reading.
2. Bills on second reading.

For Fridays:

1. Bills on second reading:
2. Bills on third reading.

For Saturdays:

1. Bills on second reading.
2. Bills on third reading.]

But messages from the Governor and Senate, communications and reports from State officers, reports from the committee on privileges and elections involving the right of a member to his seat, re-

ports from the committee on engrossed bills, on revision and on rules shall be received at any time.

When the regular orders for any day shall be gone through the following shall be the order of business:

1. Bills on [third] *second* reading.
2. Bills on[second] *third* reading.

When the consideration of the orders of the day is not finished, those not acted upon shall be the orders for the next and each succeeding day until disposed of, and shall be entered first in the calendar without change in their order.

OF BILLS

Rule 6.— Concurrent resolutions proposing amendments to the Constitution *of the State and concurrent resolutions proposing or ratifying amendments to the Constitution of the United States* shall, for all legislative purposes, be deemed to be and be treated as bills. No bill shall be introduced in the House except in one of the following modes, viz:

1. Bills may be deposited at any time during the session, in a box to be known as the "bill box," which shall be under the immediate charge of the Clerk, and which shall be kept securely locked until all bills so deposited are removed by him, or by a deputy clerk authorized by him. Every bill shall be in duplicate, and both shall be indorsed with a statement of the title, accompanied by the name of the member introducing it.

At the close of each day's session one of said bills so deposited shall be handed by the Clerk to the Speaker for his examination after due record thereof has been entered in a book which shall be kept for that purpose. At the next regular session, as provided in subdivision 2 of Rule 5, the Speaker shall announce the introduction of all bills thus received by him for their first reading, and thereupon shall refer them to the appropriate committees with the consent of the House.

The other of said bills having first been entered in the record book shall, on the day of their reception, be filed by the Clerk with the Librarian of the Assembly, who shall keep a record thereof, which, together with the bills, shall, under his supervision, be subject to public inspection during the regular office hours of the library.

2. By report of a committee.
3. By order of the House.
4. By message from the Senate.

Rule 8.— Every bill introduced shall, by its title, briefly indicate the purpose of the proposed law.

The subject of every private or local bill shall be expressed in the title as required by section sixteen of article three of the Constitution. The titles of all bills proposing amendments to any of the codes, to the Greater New York charter, to any chapter of the [revised or] consolidated [general] laws, or to any act having a short title, shall quote the descriptive name of the code, and may quote the short title of the law, and, except in the case of private or local bills must contain some brief references to the subject-matter of the proposed amendment.

The title of every bill proposing amendment to any existing law, other than such as is hereafter enumerated, must contain the number of the chapter, the year in which it was enacted and the title of the statute to be amended, together with some brief reference to the subject-matter of the proposed amendment.

Every bill amending an existing law must state in the first section:

1. If a code amendment, the descriptive name and section of the code proposed to be amended.

2. [If an amendment to the Forest, Fish and Game Law, the short title of the act and the section proposed to be amended.

3.] If an amendment to the Greater New York charter, it shall be described as follows: "Section — of the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the laws of nineteen hundred and one, is hereby amended to read as follows:"

3. [4] If any other law, the section and chapter of the statute proposed to be amended, the year of its enactment and the title of the original, together with the chapter and year of all acts amendatory thereof; provided, however, that where a bill proposes to amend more than one section of such law, each section after the first section shall refer to said chapter proposed to be amended, and shall state the chapter and year of all acts amendatory of such section.

Rule 10. All bills, whether introduced in the House or communicated by message from the Senate, shall, after their first reading, be referred to a standing or select committee, to consider and report thereon. Such committee may report any bill, either with or without amendments, or they may report adversely to the same. All bills reported favorably or for consideration, if reported with amendments, shall be immediately reprinted and the amendments proposed by the committee, if amending existing law, shall be printed in italics in their proper position, except in cases where the committee recommend striking out certain words from existing law, in which case such words shall be printed inclosed in blackfaced brackets. Where a committee amends a bill by elimi-

nating proposed new matter such new matter shall be omitted in the reprint of the bill.

All bills favorably reported shall, if the report be agreed to, be placed on the order of second reading; but where a bill has been reported adversely, and such report shall be agreed to by the House, it shall be considered as rejected. Where a favorable or adverse report is disagreed to the bill shall be before the House for disposition. No *standing* committee shall be discharged from the consideration of a bill referred to it, nor shall an adverse report upon a bill be received, until, after such reference, the bill has been printed and placed upon the desks of the members and, subsequent thereto, the committee has held a meeting, *or ten days shall have elapsed since the bill was placed upon the desks of the members and no meeting of the committee has been held.* A standing committee shall not be discharged from the consideration of a measure except by vote of a majority of all the members elected to the Assembly.

Rule 15. The following classes of resolutions shall lie over one day for consideration, after which they may be called up [as, of course] *and considered,* under their appropriate order of business, *upon one week's notice in writing specifying the date for such consideration:*

1. All concurrent resolutions, except resolutions in reference to adjournments and those recalling bills from the Governor or Senate, which shall be regarded as privileged.

2. Resolutions containing calls for information from State officers or departments.

3. Resolutions giving rise to debate, except such as relate to the disposition of matters immediately before the House, such as relate to the business of the day on which they were offered, and such as relate to adjournment or taking recess for a day.

Rule 18. The standing committees shall be as follows, viz:

To consist of [thirteen] *fifteen* members:

Ways and means.

To consist each of thirteen members:

Judiciary,
General laws,
Revision,
Codes,
Taxation and retrenchment,
Canals,
Affairs of Cities,
Railroads,
Commerce and navigation,

Insurance,
Banks,
Electricity, gas and water supply,
Public education,
Internal affairs,
Labor and industries,
Excise,
Affairs of villages,
Forestry, fisheries and game,
Penal institutions,
Charitable and religious societies,
Public health.

To consist each of eleven members:

Public printing,
[Public health,]
[Public lands and forestry,]
Public institutions,
Military affairs,
Soldiers' Home,
Claims.
[Charitable and religious societies.]

To consist each of nine members:

[Federal relations,]
[Charitable and religious societies,]
[State prisons,]
Privileges and elections.
[Trades and manufactures,]
[Indian affairs.]

To consist of [five] *six* members each:

Rules,
Printed and engrossed bills.
[Unfinished business.]

Rule 19. The committee on revision shall examine and correct the bills which are referred to it, for the purpose of avoiding repetitions and unconstitutional provisions, insuring accuracy in the text and references, and consistency with the language of the existing statutes. It shall also report whether the object sought to be accomplished can be secured without a special act, under existing laws, or without detriment to the public interests, by the enactment of a general law, provided, that any change in the sense or legal effect, or any material change in construction, shall be reported to the House as a recommendation and not as an amendment. All bills other than Senate bills which have not been

amended in the House shall be so referred prior to their third reading, *except a bill which has been made a special order on second and third reading.*

Each bill, other than Senate bills, unless otherwise ordered by the House, or endorsed as having been prepared or examined by the legislative bill drafting department, shall, before such bill is sent to the printer, be delivered by the clerk to the revision committee. The revision committee shall examine such bills and shall have the power to correct or redraft the same in accordance with the provisions of this rule and so that the same shall conform to the provisions of rules eight and nine.

Rule 21. On or before the fifth day of April committees, *except the committees on revision and on printed and engrossed bills,* shall make final report upon matters referred to them [prior to that day] unless further time is granted for cause, and after that date no bill shall be introduced, except by message from the Senate.

Rule 23. During the last ten days of the session a notice may be given requesting that any matter be made a special order, or that the rules be suspended for the purpose of reading a bill out of its order, which shall be referred, without debate, to the committee on rules. The member making the motion or giving the notice shall submit in writing the reasons for making such special order or suspension, and attach thereto a copy of the bill.

The committee may report at any time, and such report shall stand as the determination of the House, unless otherwise ordered by a vote of [two-thirds] *a majority* of the members [present] *elected.* The committee shall not, however, report a measure, from the consideration of which a motion to discharge a standing committee has been made and lost, unless so instructed by the House by a vote of [two-thirds] *a majority* of the members [present] *elected.* The committee shall not be instructed by the House to report any matter as a special order or to report that the rules be suspended for the purpose of reading a bill out of its order, except by a vote of [two-thirds] *a majority* of the members [present] *elected.*

Rule 25. A motion to reconsider any vote must be made on the same day on which the vote proposed to be reconsidered was taken, or on the legislative day next succeeding, and except in the case of a vote on the final passage of a bill, by a member who voted in the majority, *providing, however, that the vote upon the final passage of a bill recalled from the Governor, the Senate, or a mayor of a city may be reconsidered at any time after it is returned to the House.* Such motion may be made under any order of business, but shall be considered only under the order of business in which the vote proposed to be reconsidered occurred. The motion

to reconsider the vote on the final passage of any bill shall be privileged to any member, but no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment or motion upon which the vote was taken shall have gone out of the possession of the House, unless subsequently recalled by a vote of the House, and in possession of the Clerk.
which report was read and ordered printed.

At nine-thirty o'clock P. M., on motion of Mr. A. E. Smith, the House took a recess of fifteen minutes.

NINE-FORTY-FIVE O'CLOCK P. M.

The House again convened.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *January* 12, 1911.

Resolved (if the Assembly concur), That when the Legislature adjourns to-day it be until Monday, January 16th at 7:30 o'clock P. M.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution providing for the joint session of Senate and Assembly for election of United States Senator, with a message that they have concurred in the passage of the same without amendment.

Mr. Speaker announced the appointment of G. Norton Frisbie Speaker's Clerk, said appointment to date from January 4, 1911.

On motion of Mr. A. E. Smith, the House adjourned until Monday, January 16th, at 7:30 o'clock P. M.

MONDAY, JANUARY 16, 1911.

The House met pursuant to adjournment.

Prayer by Rev. C. P. Evans, Watervliet.

On motion of Mr. A. E. Smith, the reading of the journal of Thursday, January 12th, was dispensed with and the same was approved.

On motion of Mr. A. E. Smith, the House took up the consideration of the recommendations of the committee appointed to report a code of rules for the conduct of business.

Debate was had thereon.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the following rules of the Assembly of nineteen hundred and ten be adopted as the Rules of the Assembly of nineteen hundred and eleven:

Rules Nos. 1, 2, 3, 4, 7, 9, 11, 12, 13, 14, 16, 17, 20, 22, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54; and,

Further, That the following rules of the Assembly of nineteen hundred and ten, amended as follows be and they are hereby adopted as the Rules of the Assembly of nineteen hundred and eleven:

Rule 5. The first business of each day's session shall be the reading of the journal of the preceding day, and the correction of any errors that may be found to exist therein. Immediately thereafter, except on days and at times set apart for the consideration of special orders, the order of business, which shall not be departed from, except by a vote of two-thirds of the members present, to be determined by a call of the roll, shall be as follows:

1. Messages from the Governor, and from the Senate, communications from State officers, reports from State institutions, and reports from the committee on revision and printed and engrossed bills.

2. First reading of a bill by its title and reference of the same.

3. Reports of standing committees in their order. (See Rule 18.)

4. Reports of select committees.

After the foregoing orders have been finished, the following shall be the order of the day:

For Mondays:

1. Bills on second reading.

2. Bills on third reading.
3. Original resolutions [by counties in alphabetical order] during the months of January and February only.
4. Unfinished business (other than bills) may be considered.

For [Tuesdays:
1. Bills on third reading.
2. Bills on second reading.

For Wednesdays:] *each other legislative day:*
1. Bills on second reading.
2. Bills on third reading.

[For Thursdays:
1. Bills on third reading.
2. Bills on third reading.]

For Fridays:
1. Bills on second reading.
2. Bills on third reading.

For Saturdays:
1. Bills on second reading.
2. Bills on third reading.]

But messages from the Governor and Senate, communications and reports from State officers, reports from the committee on privileges and elections involving the right of a member to his seat, reports from the committee on engrossed bills, on revision and on rules shall be received at any time.

When the regular orders for any day shall be gone through, the following shall be the order of business:
1. Bills on [third] *second* reading.
2. Bills on [second] *third* reading.

When the consideration of the orders of the day is not finished, those not acted upon shall be the orders for the next and each succeeding day until disposed of, and shall be entered first in the calendar without change in their order.

OF BILLS.

Rule 6. Concurrent resolutions proposing amendments to the Constitution *of the State and concurrent resolutions proposing or ratifying amendments to the Constitution of the United States* shall, for all legislative purposes, be deemed to be and be treated as bills. No bill shall be introduced in the House except in one of the following modes, viz.:

1. Bills may be deposited at any time during the session, in a box to be known as the "bill box," which shall be under the immediate charge of the Clerk, and which shall be kept securely locked until all bills so deposited are removed by him, or by [a deputy clerk] *an officer* authorized by him. Every bill shall be in duplicate, and both shall be indorsed with a statement of the title, accompanied by the name of the member introducing it.

At the close of each day's session one of said bills so deposited shall be handed by the Clerk to the Speaker for his examination, after due record thereof has been entered in a book which shall be kept for that purpose. At the next regular session, as provided in subdivision 2 of Rule 5, the Speaker shall announce the introduction of all bills thus received by him for their first reading, and thereupon shall refer them to the appropriate committees with the consent of the House.

The other of said bills having first been entered in the record book shall, on the day of their reception, be filed by the Clerk with the Librarian of the Assembly, who shall keep a record thereof, which, together with the bills, shall, under his supervision, be subject to public inspection during the regular office hours of the library.

2. By report of a committee.

3. By order of the House.

4. By message from the Senate.

Rule 8. Every bill introduced shall, by its title, briefly indicate the purpose of the proposed law.

The subject of every private or local bill shall be expressed in the title as required by section 16 of article 3 of the Constitution. The titles of all bills proposing amendments to any of the codes, to the Greater New York Charter, to any chapter of the [revised or] consolidated [general] laws, or to any act having a short title, shall quote the descriptive name of the code, and may quote the short title of the law, and, except in the case of private or local bills, must contain some brief reference to the subject-matter of the proposed amendment.

The title of every bill proposing amendment to any existing law, other than such as is hereinbefore enumerated, must contain the number of the chapter, the year in which it was enacted and the title of the statute to be amended, together with some brief reference to the subject-matter of the proposed amendment.

Every bill amending an existing law must state in the first section:

1. If a code amendment, the descriptive name and section of the code proposed to be amended.

2. If an amendment to the [Forest, Fish and Game] *Penal* Law, the short title of the act and the section proposed to be amended.

3. If an amendment to the Greater New York charter, it shall be described as follows: "Section —— of the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the Laws of nineteen hundred and one, is hereby amended to read as follows:"

3. [4] If any other law, the section and chapter of the statute proposed to be amended, the year of its enactment and the title of the original, together with the chapter and year of all acts amendatory thereof; provided, however, that where a bill proposes to amend more than one section of such law, each section after the first section shall refer to said chapter proposed to be amended, and shall state the chapter and year of all acts amendatory of such section.

Rule 10. All bills, whether introduced in the House or communicated by message from the Senate, shall, after their first reading, be referred to a standing or select committee, to consider and report thereon. Such committee may report any bill, either with or without amendments, or they may report adversely to the same. All bills reported favorably or for consideration, if reported with amendments, shall be immediately reprinted, and the amendments proposed by the committee, if amending existing law, shall be printed in italics in their proper position, except in cases where the committees recommend striking out certain words from existing law, in which case such words shall be printed inclosed in blackfaced brackets. Where a committee amends a bill by eliminating proposed new matter, such new matter shall be omitted in the reprint of the bill.

All bills favorably reported shall, if the report be agreed to, be placed on the order of second reading; but where a bill has been reported adversely, and such report shall be agreed to by the House, it shall be considered as rejected. Where a favorable or adverse report is disagreed to, the bill shall be before the House for disposition. No *standing* committee shall be discharged from the consideration of a bill referred to it, nor shall an adverse report upon a bill be received, until, after such reference, the bill has been printed and placed upon the desks of the members and, subsequent thereto, the committee has held a meeting, *or ten days shall have elapsed since the bill was placed upon the desks of the members and no meeting of the committee has been held.* A standing committee shall not be discharged from the consideration of a measure except by vote of a majority of all the members elected to the Assembly.

Rule 15. The following classes of resolutions shall be over [one day] for consideration, and may be called up [as, of course] *and considered,* under their appropriate order of business, *upon one week's notice in writing specifying the date for such consideration.*

1. All concurrent resolutions, except resolutions in reference to adjournments and those recalling bills from the Governor or Senate, which shall be regarded as privileged.

2. Resolutions containing calls for information from State officers or departments.

3. Resolutions giving rise to debate, except such as relate to the disposition of matters immediately before the House, such as relate to the business of the day on which they were offered, and such as relate to adjournment or taking recess for a day.

Rule 18. The standing committees shall be as follows, viz.:

To consist of [thirteen] *fifteen* members:

Ways and Means.

To consist each of thirteen members:

Judiciary,
General Laws,
Revision,
Codes,
Taxation and Retrenchment,
Canals,
Affairs of Cities,
Taxation and Retrenchment,
Railroads,
Commerce and Navigation,
Insurance,
Banks,
Electricity, Gas and Water Supply,
Public Education,
Internal Affairs,
Labor and Industries,
Excise,
Affairs of Villages,
Agriculture,
Forestry, Fisheries and Game.
Penal Institutions.
Charitable and Religious Societies.
Public Health.

To consist each of eleven members:

Public Printing,
[Public Health.]
[Public Lands and Forestry.]
Public Institutions,
Military Affairs,
Soldiers' Home.
Claims.
[Charitable and Religious Societies.]

To consist each of nine members:
[Federal Relations.]
[Charitable and Religious Societies.]
[State Prisons.]
Privileges and Elections.
[Trades and Manufactures.]
[Indian Affairs.]

To consist of [five] *six* members each:
Rules,
Printed and Engrossed Bills.
[Unfinished Business.]

Rule 19. The committee on revision shall examine and correct the bills which are referred to it, for the purpose of avoiding repetitions and unconstitutional provisions, insuring accuracy in the text and references, and consistency with the language of the exisiting statutes. It shall also report whether the object sought to be accomplished can be secured without special act, under existing laws, or without detriment to the public interests, by the enactment of a general law, provided, that any change in the sense or legal effect, or any material change in construction, shall be reported to the House as a recommendation and not as an amendment. All bills other than Senate bills which have not been amended in the House shall be so referred prior to their third reading, *except a bill which has been made a special order on second and third reading.*

Each bill, other than Senate bills, unless otherwise ordered by the House, or endorsed as having been prepared or examined by the legislative bill drafting department shall before such bill is sent to the printer, be delivered by the Clerk to the revision committee. The revision committee shall examine such bills and shall have the power to correct or redraft the same in accordance with the provisions of this rule and so that the same shall conform to the provisions of rules eight and nine.

Rule 21. On or before the fifth day of April committees, *except the committees on revision and on printed and engrossed bills,* shall make final report upon matters referred to them [prior to that day] unless further time is granted for cause, and after that date no bill shall be introduced, except by message from the Senate.

Rule 23. During the last ten days of the session a notice may be given requesting that any matter be made special order, or that the rules be suspended for the purpose of reading a bill out of its order, which shall be referred, without debate, to the committee

on rules. The members making the motion or giving the notice shall submit in writing the reasons for making such special order or suspension, and attach thereto a copy of the bill.

The committee may report at any time, and such report shall stand as the determination of the House, unless otherwise ordered by a vote of [two-thirds] *a majority* of the members [present] *elected.* The committee shall not, however, report a measure, from the consideration of which a motion to discharge a standing committee has been made and lost, unless so instructed by the House by a vote of [two-thirds] *a majority* of the members [present] *elected.* The commitee shall not be instructed by the House to report any matter as a special order or to report that the rules be suspended for the purpose of reading a bill out of its order, except by a vote of *a majority* [two-thirds] of the members [present] *elected.*

Rule 25. A motion to reconsider any vote must be made on the same day on which the vote proposed to be reconsidered was taken, or on the legislative day next succeeding, and except in the case of a vote on the final passage of a bill, by a member who voted in the majority, *providing, however, that the vote upon the final passage of a bill recalled from or returned by the Governor, the Senate, or a mayor of a city may be reconsidered at any time after it is returned to the House.* Such motion may be made under any order of business, but shall be considered only under the order of business in which the vote proposed to be reconsidered occurred. The motion to reconsider the vote on the final passage of any bill shall be privileged to any member, but no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment or motion upon which the vote was taken shall have gone out of the possession of the House, unless subsequently recalled by a vote of the House, and in possession of the Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker announced the following standing committees for the session of 1911:

ON WAYS AND MEANS.

Messrs. Smith, A. E., of New York, Chairman, Chanler of Dutchess, Oliver of New York, Bush of Chemung, Hackett of New York, Donnelly of Kings, Jackson of Erie, Gurnett of Schuyler, Day of Jefferson, Trombly of Clinton, Washburn of

Ulster, Merritt of St. Lawrence, Phillips of Allegany, Yale of Putnam, Parker, J. S., of Washington.

ON JUDICIARY.

Messrs. Levy, A. J., of New York, Chairman, Goldberg of New York, Wende of Erie, Levy, J., of New York, McElligott of New York, Spielberg of New York, Terry of Kings, Parker, A., of New York, Herrick, W. R., of New York, Goldstein of Kings, Hinman of Albany, Phillips of Monroe, Sullivan of Chautauqua.

ON GENERAL LAWS.

Messrs. Shortt of Richmond, Cuvillier of New York, O'Neil, M. A., of Kings, Levy, J., of New York, Brennan of New York, Drummond of Cayuga, Hoyt of Dutchess, Donovan of Kings, Friedman of New York, Thorn of Erie, Baumes of Orange, Cross of Oneida, Brooks of New York.

ON REVISION.

Messrs. McGrath of New York, Chairman, Caughlan of New York, Shortt of Richmond, Hearn of Erie, Goldstein of Kings, Dawson of Erie, Egan of New York, Fry of Kings, Kennedy of Queens, Ward of New York, Delano of Madison, Smith, T. K., of Onondaga, Constantine of Niagara.

ON CODES.

Messrs. Chanler of Dutchess, Chairman, McGrath of New York, Cuvillier of New York, Patrie of Greene, Warren of New York, Huber of Queens, Blauvelt of Rockland, Fry of Kings, Weil of New York, Mork of New York, Gray of St. Lawrence, MacGregor of Erie, Murray of New York.

ON TAXATION AND RETRENCHMENT.

Messrs. Goldberg of New York, Chairman, Herrick, J. J., of New York, Graubard of New York, Gurnett of Schuyler, Day of Jefferson, McKeon of Kings, O'Connor of Kings, Beach of Tioga, Carew of Kings, Miller of Otsego, Coffey of Westchester, Higgins of New York, Allen of Oneida.

ON CANALS.

Messrs. Manley of Oneida, Chairman, McElligott of New York, Brennan of New York, Hearn of Erie, O'Neill, J. J., of Kings,

Zorn of Queens, Gould of Niagara, Jameson of Kings, LaReau of Erie, Colne of Kings, Sweet of Oswego, Jones of Jefferson, Adler of Monroe.

ON AFFAIRS OF CITIES.

Messrs. Foley of New York, Chairman, Brennan of New York, Donnelly of Kings, Hoey of New York, O'Neil, M. A., of Kings, Neupert of Erie, McCue of New York, Shortt of Richmond, Gerhardt of New York, Zorn of Queens, Hammond of Onondaga, Haines of Westchester, Ward of New York.

ON RAILROADS.

Messrs. Caughlan of New York, Chairman, Jackson of Erie, Gillen of Kings, Terry of Kings, Farrell of Kings, Gerhardt of New York, Wheeler of Delaware, Egan of New York, Bridenbecker of Herkimer, Turley of New York, Parker, J. S., of Washington, Nolan of Albany, Shannon of Steuben.

ON COMMERCE AND NAVIGATION.

Messrs. McCue of New York, Chairman, O'Neil, M. A., of Kings, Levy, A. J., of New York, Gerken of Kings, Monczynski of Erie, Hollmann of Nassau, Mork of New York, Schifferdecker of Kings, Fitzpatrick of Queens, Nolan of Albany, Colne of Kings, Ebbetts of Kings, Shepardson of Chenango.

ON INSURANCE.

Messrs. Hoey of New York, Chairman, Goldberg of New York, McGrath of New York, Patric of Greene, Neupert of Erie, Weil of New York, O'Connor of Kings, Donnelly of Kings, Beach of Tioga, Blauvelt of Rockland, Young of Westchester, Ahern of Kings, Goodman of New York.

ON BANKS.

Messrs. O'Neil, M. A., of Kings, Chairman, Levy, J., of New York, Graubard of New York, Gerken of Kings, Parker, A., of New York, Huber of Queens, Heyman of Kings, Jameson of Kings, Egan of New York, LaReau of Erie, Waters, R. B., of Albany, Pierce of Wyoming, Shlivek of New York.

ON ELECTRICITY, GAS AND WATER SUPPLY.

Messrs. Fay of Kings, Chairman, Hackett of New York, Caughlan of New York, Gillen of Kings, Myers of Schenectady,

Boylan of New York, Walker of New York, Hearn of Erie, Scheide of Suffolk, Hoyt of Dutchess, Yale of Putnam, Hammond of Onondaga, Stivers of Orange.

ON PUBLLIC EDUCATION.

Messrs. Patrie of Greene, Chairman, Manley of Oneida, Day of Jefferson, Warren of New York, Parker, A., of New York, Saunders of Columbia, Herrick, W. R., of New York, Blauvelt of Rockland, Donovan of Kings, Filley of Rensselaer, McDonald of Franklin, Lincoln of Chautauqua, Brereton of Warren.

ON INTERNAL AFFAIRS.

Messrs. Evans of Sullivan, Chairman, Manley of Oneida, Cosad of Seneca, Collin of Yates, Washburn of Ulster, Gould of Niagara, Miller of Otsego, McDaniels of Tompkins, Saunders of Columbia, Gregg of Lewis, Lansing of Rensselaer, White of Monroe, Smith, T. K., of Onondaga.

ON LABOR AND INDUSTRIES.

Messrs. Wende of Erie, Chairman, Myers of Schenectady, Farrell of Kings, O'Neill, J. J., of Kings, Seeley of Steuben, Bridenbecker of Herkimer, Dawson of Erie, Geatons of Kings, Schifferdecker of Kings, Sweet of Oswego, Brown of Cortland, Keyes of Monroe, Jones of Jefferson.

ON EXCISE.

Messrs. Hackett of New York, Chairman, McCue of New York, Fay of Kings, Herrick, J. J., of New York, Jackson of Erie, McKeon of Kings, Boylan of New York, Walker of New York, Gould of Niagara, Fitzpatrick of Queens, Gray of St. Lawrence, Constantine of Niagara, Pappert of Monroe, Hoff of Kings.

ON AFFAIRS OF VILLAGES.

Messrs. Martin of Saratoga, Chairman, Evans of Sullivan, Cosad of Seneca, Brace of Montgomery, Gregg of Lewis, Wheeler of Delaware, Hollmann of Nassau, Miller of Otsego, Kennedy of Queens, Cheney of Cattaraugus, Connell of Onondaga, Winters of Livingston, Talmage of Suffolk.

ON FORESTRY, FISHERIES AND GAME.

Messrs. Gurnett of Schuyler, Chairman, Wende of Erie, Trombly of Clinton, Martin of Saratoga, Brace of Montgomery,

Hollmann of Nassau, Scheide of Suffolk, Bridenbecker of Herkimer, Carew of Kings, Shea of Essex, McDonald of Franklin, Hart of Fulton-Hamilton, Waring of Ulster.

ON AGRICULTURE.

Messrs. Cosad of Seneca, Chairman, Myers of Schenectady, Collin of Yates, Wheeler of Delaware, Brace of Montgomery, McDaniels of Tompkins, Drummond of Cayuga, Gregg of Lewis, Saunders of Columbia, Delano of Madison, Shepardson of Chenango, Yeomans of Wayne, Bryant of Genesee.

ON PENAL INSTITUTIONS.

Messrs. Trombly of Clinton, Chairman, Levy, A. J., of New York, Spielberg of New York, Hoyt of Dutchess, Washburn of Ulster, Drummond of Cayuga, Turley of New York, Heyman of Kings, Kennedy of Queens, Scheide of Suffolk, Filley of Rensselaer, Haines of Westchester, Cheney of Cattaraugus.

ON CHARITABLE AND RELIGIOUS SOCIETIES.

Messrs. O'Neill, J. J., of Kings, Chairman, Oliver of New York, Fay of Kings, Herrick, J. J., of New York, Collin of Yates, Mork of New York, LaReau of Erie, Jameson of Kings, Dawson of Erie, Lansing of Rensselaer, Connell of Onondaga, Brereton of Wyoming, Lincoln of Chautauqua.

ON PUBLIC HEALTH.

Messrs. Bush of Chemung, Chairman, McDaniels of Tompkins, Seeley of Steuben, Martin of Saratoga, Warren of New York, Carew of Kings, Friedman of New York, Heyman of Kings, Schifferdecker of Kings, Brown of Cortland, Butler of Broome, Waters, F. A., of Orleans, Wilson of Ontario.

ON PUBLIC PRINTING.

Messrs. Graubard of New York, Chairman, Donnelly of Kings, Patrie of Greene, Evans of Sullivan, Beach of Tioga, Friedman of New York, Fry of Kings, Waters, R. B., of Albany, Stivers of Orange, Winters of Livingston, Keyes of Monroe.

ON PUBLIC INSTITUTIONS.

Messrs. O'Connor of Kings, Chairman, Walker of New York, Gerhardt of New York, Boylan of New York, Monczynski of Erie,

Geatons of Kings, Bridenbecker of Herkimer, Murray of New York, Lent of Kings, Waters, F. A., of Orleans, Hoff of Kings.

ON MILITARY AFFAIRS.

Messrs. Cuvillier of New York, Chairman, Foley of New York, Chanler of Dutchess, Turley of New York, Geatons of Kings, Goldstein of Kings, Kennedy of Queens, MacGregor of Erie, Shea of Essex, Cross of Oneida, Brooks of New York.

ON SOLDIERS' HOME.

Messrs. Seeley of Steuben, Chairman, Bush of Chemung, Hoey of New York, O'Neill, J. J., of Kings, Terry of Kings, Monzcynski of Erie, Huber of Queens, Thorn of Erie, Allen of Oneida, White of Monroe, Shannon of Steuben.

ON CLAIMS.

Messrs. Terry of Kings, Chairman, Hackett of New York, Farrell of Kings, Hearn of Erie, Gerken of Kings, Friedman of New York, Fitzpatrick of Queens, Young of Westchester, Sullivan of Chautauqua, Lent of Kings, Adler of Monroe.

ON PRIVILEGES AND ELECTIONS.

Messrs. Brennan of New York, Chairman, Herrick, J. J., of New York, McElligott of New York, Gillen of Kings, McKeon of Kings, Zorn of Queens, Kopp of New York, Goodwin of Westchester, Ebbetts of Kings.

ON RULES.

Messrs. Mr. Speaker of Schoharie, Chairman, Smith, A. E., of New York, Oliver of New York, Foley of New York, Donnelly of Kings, Merritt of St. Lawrence, Phillips, J. S., of Allegany.

ON PRINTED AND ENGROSSED BILLS.

Messrs. Neupert of Erie, Chairman, Speilberg of New York, Donovan of Kings, Weil of New York, Goodwin of Westchester, Pappert of Monroe.

Mr. Speaker announced the following appointments for the session of 1911:

(See Appendix No. 1.)

The Clerk announced the following appointments for the session of 1911, said appointments to date from January 12th:

(See Appendix No. 2.)

Mr. Speaker presented the Eighteenth Annual Report of the Commissioner of Agriculture, which was laid upon the table and ordered printed.

(See Assembly Document No. 25.)

Also, the report of the Perry Victory Centennial Commission, which was laid upon the table.

Mr. Brooks introduced a bill entitled "An act to amend section eleven hundred and eighty-one of the Code of Civil Procedure, relative to continuous deliberation by juries" (Int. No. 37), which was read the first time and referred to the committee on codes.

Mr. Coffey, by request, introduced a bill entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon, relative to the appointment of public officers in the city of Mount Vernon" (Int. No. 38), which was read the first time and referred to the committee on affairs of cities.

Mr. Connell introduced a bill entitled "An act to amend the Village Law, in relation to compensation of president and trustees of villages of the first class" (Int. No. 39), which was read the first time and referred to the committee on affairs of villages.

Mr. Hammond introduced a bill entitled "An act to establish a State college of forestry at Syracuse University, and making an appropriation therefor" (Int. No. 40), which was read the first time and referred to the committee on ways and means.

Mr. W. R. Herrick introduced a bill entitled "An act to amend the Penal Law, in relation to selling, offering for sale or receiving horses or other animals which by reason of disease or lameness, are unfitted for work" (Int. No. 41), which was read the first time and referred to the committee on codes.

Mr. Gregg introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Leroy Crawford against the State for damages al-

leged to have been sustained by him by reason of the appropriation of the lands of Mary L. Fisher, in the county of Herkimer, by the Forest Purchasing Board for Adirondack park purposes, and to render judgment therefor" (Int. No. 42), which was read the first time and referred to the committee on claims.

Mr. Martin introduced a bill entitled "An act to amend the State Boards and Commissions Law, relative to notice, plans, specifications and map" (Int. No. 43), which was read the first time and referred to the committee on general laws.

Mr. Neupert introduced a bill entitled "An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds in the sum of two million dollars for the purpose of acquiring additional park lands and lands along the water front and improving the same,' authorizing the use of a part of the proceeds of the sale or sales of said bonds for improvements on park lands heretofore acquired by said city" (Int. No. 44), which was read the first time and referred to the committee on affairs of cities.

Mr. Patrie introduced a bill entitled "An act to legalize the official acts of certain justices of the peace and authorizing them to execute and file official bonds and official oaths and certificates" (Int. No. 45), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Code of Civil Procedure, relative to the service of summons" (Int. No. 46), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Forest, Fish and Game Law, in relation to the taking of suckers in certain waters of Greene county" (Int. No. 47), which was read the first time and referred to the committee on forestry, fisheries and game.

Also, "An act to amend section eighty-two of the Forest, Fish and Game Law of nineteen hundred and ten" (Int. No. 48), which was read the first time and referred to the committee on forestry, fisheries and game.

Also, "An act to amend the Code of Civil Procedure, in relation to permitting certain classes of innkeepers or tavern-keepers to serve as justices of the peace" (Int. No. 49), which was read the first time and referred to the committee on codes.

Also, "An act to amend chapter twenty of the Consolidated Laws, General Business Law, article two, weights and measures" (Int. No. 50), which was read the first time and referred to the committee on general laws.

Mr. R. B. Waters introduced a bill entitled "An act to amend chapter three hundred and eighty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the city of Cohoes to borrow money for the purpose of better equipping its fire department, and to issue and sell its bonds for the money so borrowed, and to provide for raising money by taxation in said city for the redemption of said bonds and the payment of interests thereon'" (Int. No. 51), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter three hundred and ninety-two of the Laws of nineteen hundred and two, entitled 'An act to authorize the common council of the city of Cohoes to borrow money by the issuing of bonds for the improvement of the quality and quantity of the present water supply, and the procuring of an additional supply of pure and wholesome water for said city'" (Int. No. 52), which was read the first time and referred to the committee on affairs of cities.

Mr. Ward introduced a bill entitled "An act to amend the Penal Law, generally" (Int. No. 53), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Penal Law, generally" (Int. No. 54), which was read the first time and referred to the committee on codes.

Mr. Gerhardt introduced a bill entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to sections six of article three of the Constitution, in relation to the compensation of members of the Legislature" (Int. No. 55), which was read the first time and referred to the committee on the judiciary.

Mr. Brace introduced a bill entitled "An act to amend, consolidate and revise the several acts relative to the city of Amsterdam" (Int. No. 56), which was read the first time and referred to the committee on affairs of cities.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That on Tuesday, January 17th, at 12 o'clock noon, the Assembly proceed to vote for a Senator in Congress in place of Hon. Chauncey M. Depew, whose term of office will expire on the 4th of March next.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hammond offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the committee heretofore appointed, with instructions to draft a charter for the city of New York, and to submit its report on or before January 15th, be, and it hereby is, given until February 15th, in which to submit its final report.

On motion of Mr. A. E. Smith consideration of said resolution was postponed until Tuesday, January 17th.

The Senate returned the concurrent resolution extending until February 1, 1911, the time for the submission of the report of the committee appointed to investigate corrupt practices, with a message that they have concurred in the passage of the same, with the following amendment:

After the words "first day of February, 1911," insert the word "only."

Mr. A. E. Smith moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative.

The privileges of the floor were extended to Hon. Mr. Williams, a former member.

On motion of Mr. A. E. Smith, the House adjourned.

TUESDAY, JANUARY 17, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. Addison Jones.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Seventeenth Annual Report of the Western House of Refuge for Women, which was laid upon the table and ordered printed.

(See Assembly Document No. 6.)

Also, the annual report of the Adjutant-General, which was laid upon the table and ordered printed.

(See Assembly Document No. 21.)

Mr. Goldstein introduced a bill entitled "An act to provide for the investigation of the affairs of the Union Bank of Brooklyn and other banks in the process of liquidation, and making an appropriation therefor" (Int. No. 57), which was read the first time and referred to the committee on ways and means.

Mr. Hoff introduced a bill entitled "An act to legalize the adoption of Emma Augusta White, by Benjamin F. White and Mary White, his wife" (Int. No. 58), which was read the first time and referred to the committee on the judiciary.

Mr. Hollmann introduced a bill entitled "An act to legalize the establishment of the Roslyn water district in the town of North Hempstead, and the issuance and sale of the bonds of said town to install a water plant in said district and to provide for the payment of said bonds" (Int. No. 59), which was read the first time and referred to the committee on internal affairs.

Mr. M. A. O'Neil introduced a bill entitled "An act to amend the Code of Civil Procedure, relating to the examination by the surrogate of the county wherein the witnesses reside of the subscribing witnesses to a will offered for probate in another county" (Int. No. 60), which was read the first time and referred to the committee on codes.

Mr. Graubard introduced a bill entitled "An act to amend the Election Law, in relation to nomination for public office" (Int.

No. 61), which was read the first time and referred to the committee on the judiciary.

Mr. O'Connor introduced a bill entitled "An act to amend the Insurance Law, in relation to forfeiture of policy without notice" (Int. No. 62), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Labor Law, in relation to the duties of the Commissioner of Labor respecting the unemployed" (Int. No. 63), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Insurance Law, in relation to the standard provisions of life insurance policies" (Int. No. 64), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to limitation of expense" (Int. No. 65), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to limitation of new business" (Int. No. 66), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Code of Civil Procedure, in relation to references for the trial of issues" (Int. No. 67), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Insurance Law, in relation to additional charges for premiums payable at periods of less than a year" (Int. No. 68), which was read the first time and referred to the committee on insurance.

Mr. Saunders introduced a bill entitled "An act to authorize the city of Hudson to borrow money for street improvements, and to issue the bonds of the city therefor" (Int. No. 69), which was read the first time and referred to the committee on affairs of cities.

Mr. Shlivek introduced a bill entitled "An act to amend the Greater New York charter, in relation to coroners' juries and powers and duties of the commissioner of jurors in the borough of Manhattan in said city" (Int. No. 70), which was read the first time and referred to the committee on affairs of cities.

Mr. Macdonald introduced a bill entitled "An act to legalize the

issue of bonds of the town of Chateaugay, in the county of Franklin, for the purpose of completing the erection of a town house in said town, and to provide for the payment of the principal and interest thereof" (Int. No. 71), which was read the first time and referred to the committee on internal affairs.

Also, "An act to authorize the county of Franklin to construct and maintain a county road system in said county, and to authorize the board of supervisors thereof to issue the bonds of said county in the aggregate amount of five hundred thousand dollars for such county road system" (Int. No. 72), which was read the first time and referred to the committee on internal affairs.

Mr. Cross introduced a bill entitled "An act to amend the Agricultural Law, in relation to the adulteration of food products" (Int. No. 73), which was read the first time and referred to the committee on agriculture.

Mr. Lincoln introduced a bill entitled "An act to legalize, ratify and confirm the proceedings of the village of Cherry Creek in the county of Chautauqua, in the matter of raising the sum of thirty thousand dollars for the construction of a pressure water system for said village; to legalize, ratify and confirm the sale and issuance of the bonds of said village in the amount of twenty-five thousand dollars of said sum; to authorize the sale and issuance of the bonds of said village for the balance thereof; and to provide for the payment of the interest and principal of said bonds" (Int. No. 74), which was read the first time and referred to the committee on affairs of villages.

Mr. F. A. Waters introduced a bill entitled "An act to legalize the official acts of Artemus J. Goodwin, a justice of the peace of the town of Barre, Orleans county" (Int. No. 75), which was read the first time and referred to the committee on the judiciary.

Mr. Sullivan introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in regard to open season for lake trout and whitefish" (Int. No. 76), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Hammond called up his resolution extending the time for the final report of the committee appointed to draft a charter for

the city of New York, consideration of which was postponed until to-day.

On motion of Mr. A. E. Smith, said resolution was referred to the committee on affairs of cities.

At eleven-thirty o'clock, on motion of Mr. A. E. Smith, the House took a recess until twelve o'clock noon.

TWELVE O'CLOCK NOON.

The House again convened.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Day	Hammond	McElligott	Smith A E
Ahern	DeLano	Hearn	McGrath	Smith T K
Allen	Donnelly	Herrick J J	McKeon	Spielberg
Baumes	Drummond	Herrick W R	Merritt	Stivers
Beach	Ebbetts	Heyman	Miller	Sullivan
Blauvelt	Egan	Higgins	Monczynski	Sweet
Boylan	Evans	Hinman	Mork	Talmage
Brace	Farrell	Hoey	Murray	Terry
Brennan	Fay	Hoff	Myers	Thorn
Brereton	Filley	Hollmann	Neupert	Trombly
Bridenbecker	Fitzpatrick	Hoyt	Nolan	Turley
Brooks	Foley	Huber	O'Connor	Walker
Brown	Friedman	Jackson	Oliver	Ward
Bryant	Fry	Jameson	O'Neill J J	Waring
Bush	Geatons	Jones	O'Neil M A	Warren
Butler	Gerhardt	Kennedy	Parker A	Washburn
Carew	Gerken	Keys	Parker J S	Waters F A
Caughlan	Gillen	Lansing	Patrie	Waters R B
Chanler	Goldberg	LaReau	Phillips C W	Weil
Cheney	Goldstein	Lent	Phillips J S	Wende
Coffey	Goodman	Levy A J	Pierce	Wheeler
Collin	Goodwin	Levy J	Saunders	White
Colné	Gould	Lincoln	Schifferdecker	Wilson
Connell	Graubard	Macdonald	Seeley	Winters
Constantine	Gregg	MacGregor	Shannon	Yale
Cosad	Gurnett	Manley	Sheide	Yeomans
Cross	Hackett	Martin	Shepardson	Young
Cuvillier	Haines	McCue	Shlivek	Zorn
Dawson	Hart	McDaniels	Shortt	Speaker

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of twelve o'clock M. having arrived, Mr. Speaker announced that, pursuant to a law enacted by Congress, entitled "An act to regulate the times and manner of holding elections of Senator in Congress", and agreeable to a resolution of the Assembly heretofore adopted, the Assembly would now proceed to nominate a Senator to represent this State in the Congress of the United States in place of Chauncey M. Depew, whose term of office will expire on the 4th day of March next.

Whereupon in open session, each member as his name was called arose in his place and by viva voce vote named the following for Senator:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gurnett	Manley	Schifferdecker	
Boylan	Fitzpatrick	Hackett	McCue	Seeley	
Brennan	Foley	Hearn	McElligott	Sheide	
Bush	Frisbie	Herrick J J	McGrath	Shortt	
Carew	Geatons	Herrick W R	McKeon	Smith A E	
Caughlan	Gerhardt	Heyman	Monczynski	Spielberg	
Chanler	Gerken	Hoey	Mork	Turley	
Collin	Gillen	Hoyt	Neupert	Walker	
Cuvillier	Goldberg	Jackson	Oliver	Warren	
Dawson	Goldstein	Jameson	O'Neill J J	Washburn	
Donnelly	Gould	LaReau	O'Neil M A	Weil	
Donovan	Graubard	Levy A J	Parker A	Wende	
Egan	Gregg	Levy J	Patrie	Zorn	
Farrell					66

FOR E. M. SHEPARD.

Beach	Evans	Huber	Saunders	Trombly	
Cosad	Friedman	Martin	Terry	Wheeler	
Drummond	Fry				12

FOR A. B. PARKER.

Brace	Day	Kennedy	McDaniels	Miller	
Bridenbecker					6

FOR D-CADY HERRICK.

Myers	1

FOR MARTIN LITTLETON.

Hollman

FOR J. W. GERARD.

O'Connor	1

FOR CHAUNCEY M. DEPEW.

Adler	Connell	Hinman	Parker J S	Thorn
Ahern	Constantine	Hoff	Phillips C W	Ward
Allen	Cross	Jones	Phillips J S	Waring
Baumes	DeLano	Keys	Pierce	Waters F A

Brereton	Ebbetts	Lansing	Shannon	Waters R B
Brooks	Filley	Lent	Shepardson	White
Brown	Goodman	Lincoln	Shlivek	Wilson
Bryant	Goodwin	Macdonald	Smith T K	Winters
Butler	Haines	MacGregor	Stivers	Yale
Cheney	Hammond	Merritt	Sullivan	Yeomans
Coffey	Hart	Murray	Sweet	Young
Colné	Higgins	Nolan	Talmage	59

Whole number of votes cast.....146
For Mr. Sheehan..... 66
For Mr. Shepard..... 12
For Mr. Parker..... 6
For Mr. Herrick..... 1
For Mr. Gerard..... 1
For Mr. Littleton..... 1
For Mr. Depew..... 59

A quorum of all the members elected to the Assembly having voted, and no person having received a majority of the votes cast, the Speaker announced the failure of the Assembly to effect a nomination by the requisite majority of all the members present.

Mr. Coffey offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill (No. 5, Int. No. 5) entitled "An act relating to the repaving of West Lincoln avenue and West First street, as widened, from Eleventh avenue to the New York city line, in the city of Mount Vernon."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Coffey moved to amend as follows:

Strike out in line 5, page 1, the words "said streets" and line 6, page 1, "as widened", and insert in place thereof the words "West Lincoln avenue and West First street, as widened, from Eleventh avenue to the New York city line in the city of Mount Vernon."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Coffey, said bill was ordered reprinted and recommitted to said committee.

The Senate returned the concurrent resolution providing for an extension of the time for the report of the committee to investigate corrupt practices.

Mr. Gray of St. Lawrence was excused on account of illness.

On motion of Mr. A. E. Smith, the House adjourned.

WEDNESDAY, JANUARY 18, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Roelif H. Brooks.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the reply of the Barge Canal Terminal Commission, which was laid upon the table and ordered printed.

(See Assembly Document. No. 5.)

Also, the Tenth Annual Report of the New York State Hospital at Ray Brook, which was laid upon the table and ordered printed.

(See Senate Document No. 14.)

Mr. Boylan, by request, introduced a bill entitled "An act to amend the Penal Law, relative to bootblacks" (Int. No. 77), which was read the first time and referred to the committee on codes.

Mr. Graubard introduced a bill entitled "An act to amend the Railroad Law, in relation to a change of motive power on certain street surface railroads in the city of New York" (Int. No. 78), which was read the first time and referred to the committee on railroads.

Mr. Jackson introduced a bill entitled "An act making appropriations for the commission, appointed pursuant to chapter five hundred and eighteen of the Laws of nineteen hundred and nine, to inquire into the question of employers' liability and certain other questions specified in such act" (Int. No. 79), which was read the first time and referred to the committee on ways and means.

Also, "An act to promote the health and efficiency of policemen in cities of the first and second class" (Int. No. 80), which was read the first time and referred to the committee on affairs of cities.

Mr. Kennedy introduced a bill entitled "An act authorizing the fire commissioner of the city of New York to allow a pension to Marcella A. Graham, the sister of a former member of such department" (Int. No. 81), which was read the first time and referred to the committee on affairs of cities.

Mr. Martin introduced a bill entitled "An act to authorize the board of education of the union free school of the village of Saratoga Springs to borrow money on notes to be issued by said board, for the purpose of defraying the expenses incurred in erecting a new schoolhouse in said village" (Int. No. 82), which was read the first time and referred to the commitee on affairs of villages.

Mr. Neupert introduced a bill entitled "An act to build and equip a range of glasshouses for teaching floriculture at the New York State College of Agriculture at Cornell University, making an appropriation therefor and providing for the appointment of an advisory committee" (Int. No. 83), which was read the first time and referred to the committee on ways and means.

Mr. Oliver introduced a bill entitled "An act to amend the Greater New York charter, relative to the compensation of commissioners of estimate and appraisal" (Int. No. 84), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter sixty-two of the Laws of nineteen hundred and nine, entitled 'An act in relation to taxation, constituting chapter sixty of the Consolidated Laws,' by inserting therein after section two hundred and seventy-one a new section, to be known as section two hundred and seventy-one-a, and amending section two hundred and seventy-five thereof" (Int. No. 85), which was read the first time.

On motion of Mr. Oliver, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on general laws.

Mr. Spielberg introduced a bill entitled "Concurrent resolution

of the Senate and Assembly, proposing an amendment to section one of article two of the Constitution, in relation to qualification of voters" (Int. No. 86), which was read the first time and referred to the committee on the judiciary.

Also, "Concurrent resolution of the Senate and Assembly, proposing an amendment to section one of article two of the Constitution, in relation to qualification of voters" (Int. No. 87), which was read the first time and referred to the committee on the judiciary.

Mr. Stivers introduced a bill entitled "An act to provide for the construction of a dike or dikes for the protection of property adjacent to the Delaware river in the city of Port Jervis, by the completion of the work begun under chapter seven hundred and sixteen of the Laws of nineteen hundred and four, the acquisition of lands necessary for such purpose, and making an appropriation therefor" (Int. No. 88), which was read the first time and referred to the committee on ways and means.

Mr. Waring introduced a bill entitled "An act authorizing the extension of the term of corporate existence of the Masonic Building Association, and authorizing the trustees and stockholders of the said Masonic Building Association to execute and file and have recorded a certificate or certificates of extension of the time of the corporate existence thereof, and legalizing certain of the acts, transactions and proceedings of said Masonic Building Association, its officers, trustees and stockholders" (Int. No. 89), which was read the first time and referred to the committee on the judiciary.

Mr. Wende introduced a bill entitled "An act to provide for the acquisition and preservation of the historic house and grounds formerly owned and occupied by General Nicholas Herkimer in the town of Danube, in the county of Herkimer, and making an appropriation therefor" (Int. No. 90), which was read the first time and referred to the committee on ways and means.

Mr. Chanler introduced a bill entitled "An act to amend section four hundred and forty-seven of the Code of Civil Procedure" (Int. No. 91), which was read the first time and referred to the committee on codes.

Also, "An act to amend section fifteen hundred and ninety-four

of the Code of Civil Procedure" (Int. No. 92), which was read the first time and referred to the committee on codes.

Also, "An act to amend section sixteen hundred and twenty-seven of the Code of Civil Procedure" (Int. No. 93), which was read the first time and referred to the committee on codes.

Mr. McGrath introduced a bill entitled "An act to amend the Penal Law, in relation to Sunday baseball" (Int. No. 94), which was read the first time and referred to the committee on codes.

Mr. Blauvelt introduced a bill entitled "An act providing for the assessment and taxation of lands owned by the State in the county of Rockland" (Int. No. 95), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. McGrath introduced a bill entitled "An act to amend the Education Law, in relation to licensing of civil engineers and surveyors" (Int. No. 96), which was read the first time and referred to the committee on public education.

Mr. J. S. Phillips introduced a bill entitled "An act to revive and extend the corporate existence of Kenmore Improvement Company of Buffalo, New York" (Int. No. 97), which was read the first time and referred to the committee on the judiciary.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded.

Adler	DeLano	Heyman	Merritt	Smith A E
Ahern	Donnelly	Higgins	Miller	Smith T K
Allen	Donovan	Hinman	Monczynski	Spielberg
Baumes	Drummond	Hoey	Mork	Stivers
Beach	Ebbetts	Hoff	Murray	Sullivan
Blauvelt	Egan	Hollmann	Myers	Talmage
Boylan	Evans	Hoyt	Neupert	Terry
Brace	Farrell	Huber	Nolan	Thorn
Brennan	Fay	Jackson	O'Connor	Trombly
Brereton	Filley	Jameson	Oliver	Turley
Bridenbecker	Fitzpatrick	Jones	O'Neill J J	Walker
Brooks	Foley	Kennedy	O'Neil M A	Ward
Brown	Friedman	Keys	Pappert	Waring
Bryant	Fry	Kopp	Parker A	Warren
Bush	Geatons	Lansing	Parker J S	Washburn
Butler	Gerhardt	LaReau	Patrie	Waters F A
Carew	Gillen	Lent	Phillips C W	Waters R B
Caughlan	Goldberg	Levy A J	Phillips J S	Weil
Chanler	Goldstein	Levy J	Pierce	Wende
Cheney	Goodman	Lincoln	Saunders	Wheeler
Coffey	Gould	Macdonald	Schifferdecker	White

Collin	Graubard	MacGregor	Seeley	Wilson
Colné	Gregg	Manley	Shannon	Winters
Constantine	Gurnett	Martin	Shea	Yale
Cosad	Hackett	McCue	Sheide	Yeomans
Cross	Hart	McDaniels	Shepardson	Young
Cuvillier	Hammond	McElligott	Shlivek	Zorn
Dawson	Hearn	McGrath	Shortt	Speaker
Day	Herrick J J	McKeon		

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed to wait upon the Senate and inform that body that the Assembly will be ready at the time designated by law and a concurrent resolution of the Senate and Assembly to meet in joint assembly for the purpose of comparing nominations of the Senate and Assembly, relative to the election of a United States Senator.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. A. E. Smith and Merritt.

Messrs. Loomis and Thomas, a committee on the part of the Senate, appeared before the Assembly, and announced that the Senate would be ready to meet the body in joint assembly at the time prescribed by law and a concurrent resolution of the Senate and Assembly to compare nominations of the Senate and Assembly, relative to the election of United States Senator.

Mr. A. E. Smith, from the committee appointed to inform the Senate that the Assembly would be ready to meet that body in joint convention at the time prescribed by law and a concurrent resolution of the Senate and Assembly to compare nominations, returned and reported that they had performed that duty.

At 11:45 o'clock A. M. the House took a recess until 11:58 A. M.

ELEVEN O'CLOCK AND FIFTY-EIGHT MINUTES.

The House again convened.

The hour of twelve-thirty o'clock M. having arrived, the Senate thereupon appeared in the Assembly Chamber, whereupon the President of the Senate announced that the Senate and Assembly were in joint assembly for the purpose of electing a Senator to represent this State in the Congress of the United States in place of Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

The Clerk of the Senate then read the journal of the Senate, relating to the nomination of United States Senator.

The Clerk of the Assembly then read the proceedings of the Assembly relating to the nomination of United States Senator.

The President of the Senate announced and declared that no nomination having been made by either House, no person had been elected, and that the joint assembly would therefore proceed to vote for a Senator in Congress in place of Chauncey M. Depew, whose term of office will expire on the 4th day of March, 1911.

The Clerk of the Senate thereupon called the roll of the Senators, and each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Fiero	Harden	McManus	Sanner	
Black	Frawley	Harte	Murtaugh	Stilwell	
Cronin	Gittins	Long	O'Brien	Sullivan C D	
Cullen	Grady	Loomis	Pollock	Sullivan T D	
Ferris	Griffin	McClelland	Ramsperger	Wagner	25

FOR CHAUNCEY M. DEPEW.

Allen	Coats	Hamilton	Ormrod	Thomas	
Argetsinger	Cobb	Heacock	Platt	Travis	
Brackett	Emerson	Hewitt	Rose	Wainwright	
Bussey	Griffith	Newcomb	Sage	Walters	20

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR D-CADY HERRICK.

White	1

FOR J. W. GERARD.

Duhamel	1

FOR MARTIN W. LITTLETON.

Burd	1

The Clerk of the Assembly then called the roll of the Assembly, and each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gurnett	Manley	Schifferdecker	
Boylan	Fitzpatrick	Hackett	McCue	Seeley	
Brennan	Foley	Hearn	McElligott	Sheide	
Bush	Frisbie	Herrick J J	McGrath	Shortt	
Carew	Geatons	Herrick W R	McKeon	Smith A E	
Caughlan	Gerhardt	Heyman	Monczynski	Spielberg	
Collin	Gerken	Hoey	Mork	Turley	
Cuvillier	Gillen	Hoyt	Neupert	Walker	
Dawson	Goldberg	Jackson	Oliver	Warren	
Donnelly	Goldstein	Jameson	O'Neill J J	Washburn	
Donovan	Gould	LaReau	O'Neil M A	Weil	
Egan	Graubard	Levy A J	Parker A	Wende	
Farrell	Gregg	Levy J	Patrie	Zorn	65

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hoff	Pappert	Talmage	
Ahern	Cross	Jones	Parker J S	Thorn	
Allen	DeLano	Keys	Phillips C W	Ward	
Baumes	Ebbetts	Kopp	Phillips J S	Waring	
Brereton	Filley	Lansing	Pierce	Waters F A	
Brooks	Goodman	Lent	Shannon	Waters R B	
Brown	Goodwin	Lincoln	Shea	White	
Bryant	Haines	Macdonald	Shepardson	Wilson	
Butler	Hammond	MacGregor	Shlivek	Winters	
Cheney	Hart	Merritt	Smith T K	Yale	
Coffey	Higgins	Murray	Stivers	Yeomans	
Colné	Hinman	Nolan	Sullivan	Young	60

FOR EDWARD M. SHEPARD.

Beach	Drummond	Friedman	Huber	Trombly	
Chanler	Evans	Fry	Martin	Wheeler	
Cosad					11

FOR ALTON B. PARKER.

Brace	Day	McDaniels	Miller	Saunders	
Bridenbecker	Kennedy				7

FOR D-CADY HERRICK.

Myers 1

FOR MARTIN W. LITTLETON.

Hollmann 1

FOR J. W. GERARD.

O'Connor Terry 2

Whole number of votes cast..... 197

Necessary to a choice..... 99

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	25	65	90
For Chauncey M. Depew.....	20	60	80
For Edward M. Shepard.....	2	11	13
For Alton B. Parker.....	....	7	7
For D-Cady Herrick.....	1	1	2
For Martin W. Littleton.....	1	1	2
For J. W. Gerard.....	1	2	3

A quorum of all the Senators and Members of Assembly being present and voting, and no person having received a majority of all the votes cast, the President of the Senate announced that no choice had been made for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Thursday, January 19th, at twelve-thirty o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the purpose of comparing nominations for Senator in Congress, that the Clerk of the Senate had read the journal of the Senate, and that the Clerk of the Assembly had read the journal of the Assembly in relation to the election of such Senator, that no nomination had been made on the part of either House, and that the joint assembly had then proceeded to vote for a Senator in Congress, and that no person having received a majority of all the votes cast, no choice had been made, and that the joint assembly had adjourned to meet to-morrow at twelve o'clock noon in the Assembly Chamber.

On motion of Mr. A. E. Smith, the House adjourned.

[ASSEMBLY JOURNAL.] 9

THURSDAY, JANUARY 19, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Forty-second Annual Report of the Board of Managers of the New York State School for the Blind at Batavia, which was laid upon the table and ordered printed.

(See Assembly Document No. 13.)

Mr. Bush introduced a bill entitled "An act relating to Civil War veterans" (Int. No. 98), which was read the first time and referred to the committee on codes.

Mr. Hearn introduced a bill entitled "An act to amend the Penal Law, relative to the sale of tainted food" (Int. No. 99), which was read the first time and referred to the committee on codes.

Mr. Neupert introduced a bill entitled "An act to amend the Highway Law, in relation to lamps on vehicles" (Int. No. 100), which was read the first time and referred to the committee on internal affairs.

Mr. C. W. Phillips introduced a bill entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the fire pension fund" (Int. No. 101), which was read the first time and referred to the committee on affairs of cities.

Mr. J. S. Phillips introduced a bill entitled "An act to amend article two of the Stock Corporation Law, in relation to corporations having shares of capital stock without nominal or par value" (Int. No. 102), which was read the first time and referred to the committee on the judiciary.

Mr. Shortt introduced a bill entitled "An act to amend the Penal Law, in relation to selling, offering for sale or receiving horses or other animals, which by reason of disease or lameness are unfitted for work" (Int. No. 103), which was read the first time and referred to the committee on codes.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to the military secretary to the Governor" (Int. No. 104), which was read the first time and referred to the committee on military affairs.

Mr. Cosad introduced a bill entitled "An act to amend the Highway Law, in relation to the courses and descriptions of route six of the State highway system" (Int. No. 105), which was read the first time and referred to the committee on internal affairs.

Mr. LaReau introduced a bill entitled "An act to provide for the removal of obstructions in Dearborn street, in the city of Buffalo, and the opening thereof to the public, and to nullify certain proceedings of the grade crossing commissioners of said city and the International Bridge Company relating to such obstructions" (Int. No. 106), which was read the first time and referred to the committee on affairs of cities.

Mr. Washburn introduced a bill entitled "An act to amend chapter one hundred and three of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Ulster county a salaried office and regulating the management of said office,' in relation to the number and salaries of the clerks thereof" (Int. No. 107), which was read the first time and referred to the committee on internal affairs.

Mr. LaReau introduced a bill entitled "An act to authorize the Adjutant-General to reopen, try and determine the claim made by John A. Morrissey, private, Seventy-fourth Regiment Infantry, National Guard, for expenses for an operation resulting from injuries received during service" (Int. No. 108), which was read the first time and referred to the committee on military affairs.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk, called the roll, when the following members responded:

Adler	DeLano	Hearn	McGrath	Smith A E
Ahern	Donnelly	Herrick J J	McKeon	Smith T K
Allen	Donovan	Herrick W R	Merritt	Spielberg
Baumes	Drummond	Heyman	Miller	Stivers
Beach	Ebbetts	Higgins	Monczynski	Sullivan
Blauvelt	Egan	Hinman	Mork	Sweet
Boylan	Evans	Hoey	Murray	Talmage
Brace	Farrell	Hoff	Myers	Terry

Brennan	Fay	Hollmann	Neupert	Thorn
Brereton	Filley	Hoyt	Nolan	Trombly
Bridenbecker	Fitzpatrick	Huber	O'Connor	Turley
Brooks	Foley	Jackson	Oliver	Walker
Brown	Friedman	Jameson	O'Neill J J	Ward
Bryant	Fry	Jones	O'Neil M A	Waring
Bush	Geatons	Kennedy	Pappert	Warren
Butler	Gerhardt	Keys	Parker A	Washburn
Carew	Gerken	Kopp	Parker J S	Waters F A
Caughlan	Gillen	Lansing	Patrie	Waters R B
Chanler	Goldberg	LaReau	Phillips J S	Weil
Cheney	Goldstein	Lent	Pierce	Wende
Coffey	Goodman	Levy J	Saunders	Wheeler
Collin	Goodwin	Lincoln	Schifferdecker	White
Colné	Gould	Macdonald	Seeley	Wilson
Connell	Graubard	MacGregor	Shannon	Winters
Constantine	Gregg	Manley	Shea	Yale
Cosad	Gurnett	Martin	Sheide	Yeomans
Cross	Hackett	McCue	Shepardson	Young
Cuvillier	Haines	McDaniels	Shlivek	Zorn
Dawson	Hart	McElligott	Shortt	Speaker
Day	Hammond			

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Lincoln, the privileges of the floor were extended to Hon. A. C. Eberhardt, Governor of Minnesota.

Governor Eberhardt was conducted to the Speaker's desk and addressed the House as follows:

Members of Assembly: I am sure there is no courtesy and no kindness that could be shown to an outsider that could be more appreciated than to be received in this manner by this great body of men, legislating for the great Empire State.

And looking at the body of men that I see before me and comparing it with others, I may say that it is a much better assemblage (especially if I can rely upon the reports of the press, which of course I cannot doubt) — and I have to say in my own State that in fact the representatives of the press sought to prepare my speeches so that they will be more acceptable to the public. And there can be no doubt that when they are speaking of the merits of the Legislature of our neighboring State of Illinois that it is a very good Legislature, because it is said by them that it is as good a Legislature as money can buy.

My experience with Legislatures, however, has been very friendly. I have served in them myself. The common opinion about men in public life to-day, that they are not men of such high integrity as others, does not any longer prevail. I fear you have the wrong opinion of our Legislature and of our State; I

presume at times you have misgivings about these new western border States, these wilderness States, because I heard a rumor the other day when I came to New York city that out in St. Paul at the last election there was a Scandinavian, and a German and an Irishman judges of an election district and a genuine Yankee came along to vote and they would not let him vote because he did not have his second papers.

But we do have a good class of citizens. We do think we have a very good State, and in common with you and your own interests perhaps with problems very much similar to yours, with large cities and a large rural population besides, and large manufacturing and business industries growing, we have about the same problems as you have, and we are trying to get our large cities and our country to realize that their interests are identical and that the happiness and success of one is the success of the other. We are trying to get them to work together for the one great common good of contributing toward whatever is best and truest and cleanest and purest and noblest in American citizenship.

I am glad to be with you at this time and I want in conclusion to extend to you my best wishes, and then I speak for the entire State of Minnesota, that your efforts and your work of this session may be given for whatever is best in New York for the people, the best in manhood and womanhood, and that altogether we will work jointly for everything that tends to build up our great institutions and prosperity in general.

I thank you again and I wish unto this Assembly all possible God speed and prosperity and that your work at this session may redound to the interest and to the welfare of every citizen of this State of New York.

On motion of Mr. Connell, the fact that he was unavoidably absent from yesterday's joint assembly was ordered entered upon the journal.

On motion of Mr. Sweet, the fact that he was unavoidably absent from yesterday's session was ordered entered upon the journal.

The hour of twelve o'clock noon having arrived the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll

of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Fiero	Harden	McManus	Sanner	
Black	Frawley	Harte	Murtaugh	Stilwell	
Cronin	Gittins	Long	O'Brien	Sullivan C D	
Cullen	Grady	Loomis	Pollock	Sullivan T D	
Ferris	Griffin	McClelland	Ramsperger	Wagner	25

FOR CHAUNCEY M. DEPEW.

Allen	Coats	Hamilton	Ormrod	Thomas	
Argetsinger	Cobb	Heacock	Platt	Travis	
Brackett	Emerson	Hewitt	Rose	Wainwright	
Bussey	Griffith	Newcomb	Sage	Walters	20

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR D-CADY HERRICK.

White	1

FOR MARTIN W. LITTLETON.

Burd	1

FOR J. W. GERARD.

Duhamel	1

The Speaker then directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gurnett	McCue	Schifferdecker	
Boylan	Fitzpatrick	Hackett	McElligott	Seeley	
Brennan	Foley	Hearn	McGrath	Sheide	
Bush	Frisbie	Herrick J J	McKeon	Smith A E	
Carew	Geatons	Herrick W R	Monczynski	Spielberg	
Caughlan	Gerhardt	Heyman	Mork	Turley	
Collin	Gerken	Hoey	Neupert	Walker	
Cuvillier	Gillen	Jackson	Oliver	Warren	
Dawson	Goldberg	Jameson	O'Neill J J	Washburn	
Donnelly	Goldstein	LaReau	O'Neil M A	Weil	
Donovan	Gould	Levy A J	Parker A	Wende	
Egan	Graubard	Levy J	Patrie	Zorn	
Farrell	Gregg	Manley			63

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hoff	Pappert	Talmage
Ahern	Cross	Jones	Parker J S	Thorn
Allen	DeLano	Keys	Phillips C W	Ward
Baumes	Ebbetts	Kopp	Phillips J S	Waring
Brereton	Filley	Lansing	Pierce	Waters F A
Brooks	Goodman	Lent	Shannon	Waters R B
Brown	Goodwin	Lincoln	Shea	White

Bryant	Haines	Macdonald	Shlivek	Wilson	
Butler	Hammond	MacGregor	Smith T K	Winters	
Cheney	Hart	Merritt	Stivers	Yale	
Coffey	Higgins	Murray	Sullivan	Yeomans	
Colné	Hinman	Nolan	Sweet	Young	
Connell					61

FOR EDWARD M. SHEPARD.

Beach	Drummond	Friedman	Huber	Trombly	
Chanler	Evans	Fry	Martin	Wheeler	
Cosad					11

FOR ALTON B. PARKER.

Brace	K nnedy	McDaniels	Miller	Saunders	
Hoyt					6

FOR D-CADY HERRICK.

Myers 1

FOR MARTIN W. LITTLETON.

Hollmann 1

FOR J. W. GERARD.

O'Connor 1

FOR M. J. O'BRIEN.

Shortt 1

FOR JOHN D. KERNAN.

Bridenbecker Terry 2

Whole number of votes cast..... 198
Necessary to a choice..... 100

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	25	63	88
For Chauncey M. Depew.....	20	61	81
For Edward M. Shepard.....	2	11	13
For Alton B. Parker.....	.....	7	7
For D-Cady Herrick	1	1	2
For Martin W. Littleton.....	1	1	2
For J. W. Gerard.....	1	1	2
For M. J. O'Brien.....	.....	1	1
For John D. Kernan.....	.....	2	2

A quorum of all the Senators and Members of Assembly being present and voting, and no person having received a majority of all the votes cast, the President of the Senate announced that no choice had been made for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner the joint assembly took a recess unti. Friday, January 20th, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the purpose of electing a Senator in Congress, and that no person having received a majority of all the votes cast, no choice had been made, and that the joint assembly had adjourned to meet to-morrow at twelve o'clock noon in the Assembly Chamber.

On motion of Mr. A. E. Smith, the House adjourned.

FRIDAY, JANUARY 20, 1911.

The House met pursuant to adjournment.

Prayer by Rev. James S. Kittel.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Twenty-eighth Annual Report of the Civil Service Commission, which was laid upon the table and ordered printed.

(See Assembly Document No. 4.)

Also, the Seventy-fifth Annual Report of the New York Institution for the Blind, which was laid upon the table and ordered printed.

(See Assembly Document No. 15.)

Also, the Eighty-sixth Annual Report of the Society for the Reformation of Juvenile Delinquents, New York City, which was laid upon the table and ordered printed.

(See Assembly Document No. 14.)

Also, the annual report of the Conrad Poppenhusen Association, which was laid upon the table.

Mr. Haines introduced a bill entitled "An act to amend the Tax Law, in relation to the time in which an application for a refund of tax may be made" (Int. No. 109), which was read the first time and referred to the committee on general laws.

Mr. Sullivan introduced a bill entitled "An act to provide for the submission of a proposition to the taxpayers of the village of

Silver Creek to determine whether the expense, within certain limits, of maintaining a building for public purposes to be conveyed to the Silver Creek Memorial Association, herein incorporated, shall be borne by said village, and to regulate the management and control of said building" (Int. No. 110), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend the Forest, Fish and Game Law, in relation to the taking of English snipe in certain towns of the counties of Erie and Chautauqua" (Int. No. 111), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Lincoln introduced a bill entitled "An act to validate certain bonds of the city of Jamestown" (Int. No. 112), which was read the first time and referred to the committee on affairs of cities.

Mr. MacGregor introduced a bill entitled "An act to amend the Judiciary Law, relative to stenographers furnishing copies of proceedings to judge" (Int. No. 113), which was read the first time and referred to the committee on the judiciary.

Mr. A. J. Levy introduced a bill entitled "An act to amend the Penal Law, in relation to permitting labor and secular business on the first day of the week by certain persons" (Int. No. 114), which was read the first time and referred to the committee on codes.

Mr. O'Connor introduced a bill entitled "An act to amend chapter three hundred and ninety of the Laws of nineteen hundred and nine, entitled 'An act to authorize the acquisition of a site for, and the construction of a court house in the county of Kings, and to provide for the maintenance thereof,' in relation to a commission therefor" (Int. No. 115), which was read the first time and referred to the committee on affairs of cities.

Mr. Trombly introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the lopping of trees cut in the forest preserve" (Int. No. 116), which was read the first time and referred to the committee on forestry, fisheries and game.

Also, "An act making an appropriation for highway improve-

ment in expediting the building of certain State routes" (Int. No. 117), which was read the first time and referred to the committee on ways and means.

Mr. Ebbetts introduced a bill entitled "An act to amend the Agricultural Law, in relation to representations in the sale of certain articles of food kept or preserved in cold storage or refrigerating warehouses" (Int. No. 118), which was read the first time and referred to the committee on agriculture.

Mr. Foley introduced a bill entitled "An act to incorporate the American-Scandinavian Foundation" (Int. No. 119), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Boylan introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to court districts, the number, term, qualifications and election of magistrates and justices, the filling of vacancies, and to repeal section sixteen of such act" (Int. No. 120), which was read the first time and referred to the committee on affairs of cities.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Cosad	Hackett	Martin	Shannon
Ahern	Cuvillier	Haines	McCue	Sheide
Allen	Dawson	Hart	McDaniels	Shepardson
Baumes	Day	Hammond	McGrath	Shortt
Beach	DeLano	Herrick J J	McKeon	Smith A E
Blauvelt	Donnelly	Herrick W R	Merritt	Stivers
Boylan	Drummond	Heyman	Miller	Sweet
Brace	Ebbetts	Higgins	Murray	Talmage
Brennan	Egan	Hinman	Myers	Terry
Brereton	Evans	Hoey	Nolan	Trombly
Bridenbecker	Farrell	Hoff	O'Connor	Turley
Brown	Fay	Hollman	Oliver	Walker
Bryant	Filley	Hoyt	O'Neill J J	Waters R B
Bush	Fitzpatrick	Huber	O'Neil M A	Weil
Butler	Foley	Jackson	Pappert	Wende
Carew	Friedman	Jameson	Parker A	Wheeler
Caughlan	Fry	Jones	Parker J S	White
Chanler	Geatons	Kennedy	Patrie	Wilson
Cheney	Gerhardt	Kopp	Phillips C W	Winters
Coffey	Goldstein	Lansing	Phillips J S	Yale
Collin	Gould	LaReau	Pierce	Yeomans
Colné	Graubard	Lent	Saunders	Zorn
Connell	Gregg	MacGregor	Seeley	Speaker
Constantine	Gurnett	Manley		

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Lincoln of Chautauqua was excused until Monday next.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

Mr. A. E. Smith, offered for the consideration of the joint assembly a resolution, in words following:

Resolved, That when the Senate and Assembly meet in joint assembly for the purpose of electing a Senator in the Congress of the United States to represent the State of New York in the place of Chauncey M. Depew, whose term of office will expire on March 4, 1911, that the pairing of the members of joint assembly be announced when their names are called for the purpose of casting their vote.

The President put the question whether the joint assembly would agree to said resolution, and it was determined in the affirmative.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Black	Fiero	Harte	McClelland	Ramsperger	
Cullen	Grady	Long	O'Brien	Wagner	
Ferris	Harden				12

FOR CHAUNCEY M. DEPEW.

Allen	Bussey	Heacock	Ormrod	Sage	
Brackett	Coats				7

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR D-CADY HERRICK.

White	1

FOR MARTIN W. LITTLETON.

Burd	1

FOR J. W. GERARD.

Duhamel	1

When the names of the following gentlemen were called they were announced as having paired as follows:

Mr. Argetsinger with Mr. Loomis; Mr. Bayne with Mr. Wainwright; Mr. Cobb with Mr. Gittins; Mr. Cronin with Mr. Travis; Mr. Emerson with Mr. Griffin; Mr. Frawley with Mr. Platt; Mr. Griffith with Mr. T. D. Sullivan; Mr. Hamilton with Mr. C. D. Sullivan; Mr. Hewitt with Mr. Murtaugh; Mr. McManus with Mr. Walters; Mr. Newcomb with Mr. Pollock; Mr. Rose with Mr. Stilwell; Mr. Sanner with Mr. Thomas.

The Speaker then directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Egan	Goldstein	LaReau	Patrie	
Boylan	Farrell	Gregg	Manley	Seeley	
Brennan	Fay	Gurnett	McCue	Sheide	
Bush	Fitzpatrick	Hackett	McGrath	Smith A E	
Carew	Foley	Herrick J J	McKeon	Turley	
Caughlan	Frisbie	Herrick W R	Oliver	Walker	
Collin	Geatons	Heyman	O'Neill J J	Weil	
Cuvillier	Gerhardt	Hoey	O'Neil M A	Wende	
Dawson	Gerken	Jackson	Parker A	Zorn	
Donnelly	Gillen	Jameson			48

FOR CHAUNCEY M. DEPEW.

Adler	Colné	Higgins	Murray	Stivers	
Ahern	Connell	Hinman	Nolan	Sweet	
Baumes	Constantine	Hoff	Pappert	Talmage	
Brereton	DeLano	Jones	Parker J S	Waters R B	
Brown	Ebbetts	Lansing	Phillips C W	White	
Bryant	Filley	Lent	Phillips J S	Wilson	
Butler	Haines	Macdonald	Pierce	Winters	
Cheney	Hammond	MacGregor	Shannon	Yale	
Coffey	Hart	Merritt	Shepardson	Yeomans	45

FOR EDWARD M. SHEPARD.

Beach	Cosad	Evans	Fry	Wheeler	
Chanler	Drummond	Friedman	Huber		9

FOR ALTON B. PARKER.

Hoyt	Kennedy	McDaniels	3

FOR D-CADY HERRICK.

Brace	Myers	2

FOR MARTIN W. LITTLETON.

Hollmann	1

FOR J. W. GERARD.

O'Connor 1

FOR MARTIN H. GLYNN.

Martin Saunders 2

FOR JOHN W. KERNAN.

Bridenbecker Day Miller Trombly 4

FOR S. W. ROSENDALE.

Terry 1

FOR M. J. O'BRIEN.

Shortt 1

When the following gentlemen were called they were announced as having paired as follows:

Mr. Neupert with Mr. Sullivan; Mr. Mork with Mr. Goodman; Mr. Goldberg with Mr. Shlivek; Mr. Hearn with Mr. Shea; Mr. Spielberg with Mr. Allen; Mr. Schifferdecker with Mr. Keyes; Mr. Gould with Mr. F. A. Waters; Mr. Graubard with Mr. Kopp; Mr. T. K. Smith with Mr. Donovan; Mr. Ward with with Mr. J. Levy; Mr. Young with Mr. Warren; Mr. Brooks with Mr. McElligott; Mr. Cross with Mr. A. J. Levy; Mr. Washburn with Mr. Waring.

Whole number of votes cast..... 141
Necessary to a choice..... 71

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	12	48	60
For Chauncey M. Depew.....	7	45	52
For Edward M. Shepard	2	9	11
For Alton B. Parker.....	....	3	3
For D-Cady Herrick	1	2	3
For Martin W. Littleton.....	1	1	2
For J. W. Gerard.....	1	1	2
For Martin H. Glynn.....	....	2	2
For John W. Kernan	....	4	4
For S. W. Rosendale	....	1	1
For M. J. O'Brien	....	1	1

A quorum of all the Senators and Members of Assembly being present and voting, and no person having received a majority

of all the votes cast, the President of the Senate announced that no choice had been made for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Saturday, January 21st, at twelve o'clock noon.

The Senate having retired Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, and that no person having received a majority of all the votes cast, no choice had been made, and that the joint assembly had adjourned to meet to-morrow at twelve o'clock noon in the Assembly Chamber.

On motion of Mr. A. E. Smith, the House adjourned until Saturday, January 21st, at eleven o'clock A. M.

SATURDAY, JANUARY 21, 1911.

The House met pursuant to adjournment.

Prayer by Rev. John Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Blauvelt introduced a bill entitled "An act to amend the Code of Civil Procedure in relation to actions to recover real property, and to repeal certain sections thereof" (Int. No. 121), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to appeals" (Int. No. 122), which was read the first time and referred to the committee on codes.

Mr. Brooks introduced a bill entitled "An act to amend section two thousand three hundred and forty-four of the Code of Civil Procedure in reference to powers of a committee of an incompetent person" (Int. No. 123), which was read the first time and referred to the committee on codes.

Mr. Hinman introduced a bill entitled "An act providing for the erection of a State armory and stable in the city of Albany, the acquisition of a site therefor, and making an appropriation for

building said armory and stable" (Int. No. 124), which was read the first time and referred to the committee on ways and means.

Mr. McGrath introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to limiting the time within which to appeal" (Int. No. 125), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, relative to the direction of verdicts" (Int. No. 126), which was read the first time and referred to the committee on codes.

Mr. Murray introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' with reference to the opening of defaults or dismissals, and vacating judgments and final orders" (Int. No. 127), which was read the first time and referred to the committee on affairs of cities.

Mr. A. Parker introduced a bill entitled "An act to amend the Penal Law, in relation to sales falsely represented to be by receivers" (Int. No. 128), which was read the first time and referred to the committee on codes.

Mr. A. E. Smith introduced a bill entitled "An act to amend the Executive Law in relation to the expenses incurred by the Attorney-General in attending at any term of the Supreme Court or appearing before the grand jury thereof" (Int. No. 129), which was read the first time and referred to the committee on the judiciary.

At 11:30 o'clock A. M., the House took a recess until 11:55 o'clock A. M.

ELEVEN O'CLOCK AND FIFTY-FIVE MINUTES.

The House again convened.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Black	Fiero	Harte	O'Brien	Wagner	
Ferris	Grady	Long			8

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR D-CADY HERRICK.

White	1

FOR CHAUNCEY M. DEPEW.

Brackett	Ormrod	Sage	3

FOR MARTIN W. LITTLETON.

Burd	1

When the names of the following gentlemen were called they were announced as having paired as follows:

Mr. Argetsinger with Mr. Loomis; Mr. Allen with Mr. Cullen; Mr. Bayne with Mr. Wainwright; Mr. Bussey with Mr. McClelland; Mr. Cobb with Gittins; Mr. Cronin with Mr. Travis; Mr. Emerson with Mr. Griffin; Mr. Frawley with Mr. Platt; Mr. Hamilton with Mr. C. D. Sullivan; Mr. Hewitt with Mr. Murtaugh; Mr. McManus with Mr. Walters; Mr. Newcomb with Mr. Pollock; Mr. Rose with Mr. Stilwell; Mr. T. D. Sullivan with Mr. Griffith; Mr. Sanner with Mr. Thomas; Mr. Coates with Mr. Ramsperger; Mr. Harden with Mr. Heacock.

The Speaker then directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bush	Dawson	Hackett	LaReau	Frisbie	
Collin	Donnelly	Jackson	Weil	Smith A E	10

FOR CHAUNCEY M. DEPEW.

Constantine	Nolan	Talmage	Wilson	Yeomans	
Lansing	Pappert				7

FOR EDWARD M. SHEPARD.

Beach	Drummond	Friedman	Huber	Wheeler	
Cosad	Evans	Fry	Terry		9

FOR ALTON B. PARKER.

Kennedy	McDaniels	2

FOR D-CADY HERRICK.

Brace	Myers	2

FOR MARTIN W. LITTLETON.

Hollmann	Hoyt	2

FOR MARTIN H. GLYNN.

Martin	Saunders	2

FOR JOHN W. KERNAN.

Bridenbecker	Day	Miller	Trombly	4

FOR M. J. O'BRIEN.

Shortt	1

When the following gentlemen were called they were announced as having paired as follows:

Mr. Neupert with Mr. Sullivan; Mr. Mork with Mr. Goodman; Mr. Goldberg with Mr. Shlivek; Mr. Hearn with Mr. Shea; Mr. Spielberg with Mr. Allen; Mr. Schifferdecker with Mr. Keyes; Mr. Gould with Mr. Waters, F. A.; Mr. Graubard with Mr. Kopp; Mr. Smith, T. K., with Mr. Donovan; Mr. Ward with Mr. Levy, J.; Mr. Murray with Mr. Heyman; Mr. Young with Mr. Warren; Mr. Brooks with Mr. McElligott (also Monday); Mr. Cross with Mr. Levy, A. J.; Mr. Washburn with Mr. Waring; Mr. Geatons with Mr. Shepardson; Mr. Foley with Mr. Ebbetts; Mr. Manley with Mr. Sweet; Mr. Goldstein with Mr. Hart; Mr. O'Neil, M. A., with Mr. Hoff; Mr. Parker, J. S., with Mr. Gerhardt; Mr. McKeon with Mr. Lent; Mr. Higgins with Mr. Boylan; Mr. Zorn with Mr. Butler; Mr. Fay with Mr. Phillips, C. W.; Mr. Adler with Mr. Blauvelt; Mr. Egan with Mr. Waters, R. B.; Mr. Chanler with Mr. Macdonald; Mr. Brennan with Mr. Hammond; Mr. McGrath with Mr. Haines; Mr. Cuvillier with Mr. Hinman; Mr. Phillips, J. S., with Mr. Wende; Mr. Cheney with Mr. Turley; Mr. Yale with Mr. Herrick, W. R.; Mr. Brown with Mr. Walker; Mr. Patrie with Mr. Baumes; Mr. Farrell with Mr. Connell; Mr. Gillen with Mr. Ahern; Mr. MacGregor with Mr. McCue; Mr. Seeley with Mr.

Shannon; Mr. O'Neill, J. J., with Mr. Coffey; Mr. Herrick, J. J., with Mr. Stivers; Mr. Gerken with Mr. Colne; Mr. Gregg with Mr. Jones; Mr. Sheide with Mr. DeLano; Mr. Bryant with Mr. Gurnett; Mr. White with Mr. Parker, A.; Mr. Merritt with Mr. Caughlan; Mr. Brereton with Mr. Hoey; Mr. Fitzpatrick with Mr. Pierce; Mr. O'Connor with Mr. Jameson; Mr. Oliver with Mr. Filley; Mr. Carew with Mr. Winters; Mr. Goldstein with Mr. Hart.

Whole number of votes cast..... 54

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	8	10	18
For Chauncey M. Depew.....	3	7	10
For Edward M. Shepard.....	2	9	11
For Alton B. Parker.....	0	2	2
For D. Cady Herrick.....	1	2	3
For Martin W. Littleton.....	1	2	3
For Martin H. Glynn.....	0	2	2
For John W. Kernan.....	0	4	4
For M. J. O'Brien.....	0	1	1

A quorum of all the Senators and Members of Assembly not being present and voting, the President Pro Tem. of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. A. E. Smith, the joint assembly took a recess until Monday, January 23d, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting, no choice had been made, and that the joint assembly had adjourned to meet Monday, January 23d, at twelve o'clock noon in the Assembly Chamber.

On motion of Mr. A. E. Smith, the House adjourned until Monday, January 23, at eleven thirty A. M.

MONDAY, JANUARY 23, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of Saturday, January 21st, was dispensed with and the same was approved.

Mr. Gould introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to new trials after appeals from orders and judgments of the Court of Claims" (Int. No. 130), which was read the first time and referred to the committee on codes.

Mr. Manley introduced a bill entitled "An act making an appropriation for highway improvement, in expediting the building of part of State route number twenty-five" (Int. No. 131), which was read the first time and referred to the committee on ways and means.

Mr. MacGregor introduced a bill entitled "An act to amend the Military Law, in relation to vacations of laborers in armories and arsenals" (Int. No. 132), which was read the first time and referred to the committee on military affairs.

Mr. Winters introduced a bill entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally" (Int. No. 133), which was read the first time and referred to the committee on affairs of villages.

Mr. Shepardson introduced a bill entitled "An act to amend the Agricultural Law, in relation to the definition of the terms 'butter' and 'cheese'" (Int. No. 134), which was read the first time and referred to the committee on agriculture.

Mr. Coffey introduced a bill entitled "An act to provide for the regulation of telegraph, telephone and electric light wires and cables in the streets and avenues of the city of Mount Vernon, and to provide for placing the same underground" (Int. No. 135), which

was read the first time and referred to the committee on electricity, gas and water supply.

Also, "An act to provide for a supply of pure and wholesome water for the city of Mount Vernon; and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects" (Int. No. 136), which was read the first time and referred to the committee on affairs of cities.

Mr. Speaker presented a notice of contest of Jacob Kostman against Harold Spielberg declared by the county board of canvassers elected a member of Assembly from the Tenth Assembly District of the county of New York, which was referred to the committee on privileges and elections.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	DeLano	Hart	McCue	Smith A E
Ahern	Donnelly	Hammond	McDaniels	Smith T K
Allen	Donovan	Hearn	McGrath	Spielberg
Baumes	Drummond	Herrick J J	McKeon	Stivers
Beach	Ebbetts	Herrick W R	Merritt	Sullivan
Blauvelt	Egan	Heyman	Miller	Sweet
Boylan	Evans	Higgins	Moncsynski	Talmage
Brace	Farrell	Hinman	Mork	Terry
Brennan	Fay	Hoey	Murray	Thorn
Brereton	Filley	Hoff	Myers	Trombly
Bridenbecker	Fitzpatrick	Hollmann	Neupert	Turley
Brown	Foley	Hoyt	Nolan	Walker
Bryant	Friedman	Huber	O'Connor	Ward
Bush	Fry	Jackson	Oliver	Waring
Butler	Geatons	Jameson	O'Neill J J	Warren
Carew	Gerhardt	Jones	O'Neil M A	Washburn
Caughlan	Gerken	Kennedy	Pappert	Waters F A
Chanler	Gillen	Keys	Parker A	Waters R B
Cheney	Goldberg	Kopp	Parker J S	Weil
Coffey	Goldstein	Lansing	Patrie	Wende
Collin	Goodman	LaReau	Phillips C W	Wheeler
Colné	Goodwin	Lent	Pierce	White
Connell	Gould	Levy A J	Saunders	Wilson
Constantine	Graubard	Levy J	Schifferdecker	Winters
Cosad	Gray	Lincoln	Seeley	Yale
Cross	Gregg	Macdonald	Shannon	Yeomans
Cuvillier	Gurnett	MacGregor	Sheide	Young
Dawson	Hackett	Manley	Shepardson	Zorn
Day	Haines	Martin	Shlivek	Speaker

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Shortt of Richmond was excused for the day.

Mr. J. S. Phillips of Allegany was excused on account of illness.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Fiero	Harden	Murtaugh	Stilwell	
Black	Frawley	Harte	O'Brien	Sullivan C D	
Cronin	Gittins	Long	Pollock	Sullivan T D	
Cullen	Grady	McClelland	Ramsperger	Wagner	
Ferris	Griffin	McManus	Sanner		24

FOR CHAUNCEY M. DEPEW.

Allen	Cobb	Heacock	Ormrod	Thomas	
Argetsinger	Emerson	Hewitt	Platt	Travis	
Brackett	Griffith	Hinman	Rose	Wainwright	
Bussey	Hamilton	Newcomb	Sage	Walters	
Coats					21

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR D-CADY HERRICK.

White	1

FOR MARTIN W. LITTLETON.

Burd	1

FOR J. W. GERARD.

Duhamel	1

FOR M. J. O'BRIEN.

Loomis	1

The Speaker then directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gurnett	Manley	Schifferdecker	
Boylan	Fitzpatrick	Hackett	McCue	Seeley	
Brennan	Foley	Hearn	McGrath	Sheide	
Bush	Frisbie	Herrick J J	McKeon	Smith A E	
Carew	Geatons	Herrick W R	Monczynski	Spielberg	
Caughlan	Gerhardt	Heyman	Mork	Turley	
Collin	Gerken	Hoey	Neupert	Walker	
Cuvillier	Gillen	Jackson	Oliver	Warren	
Dawson	Goldberg	Jameson	O'Neill J J	Washburn	
Donnelly	Goldstein	LaReau	O'Neil M A	Weil	
Donovan	Gould	Levy A J	Parker A	Wende	
Egan	Graubard	Levy J	Patrie	Zorn	62
Farrell	Gregg				

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hinman	Nolan	Talmage	
Ahern	Cross	Hoff	Pappert	Thorn	
Allen	DeLano	Jones	Parker J S	Ward	
Baumes	Ebbetts	Keys	Phillips C W	Waring	
Brereton	Filley	Kopp	Pierce	Waters F A	
Brown	Goodman	Lansing	Shannon	Waters R B	
Bryant	Goodwin	Lent	Shepardson	White	
Butler	Gray	Lincoln	Shlivek	Wilson	
Cheney	Haines	Macdonald	Smith T K	Winters	
Coffey	Hammond	MacGregor	Stivers	Yale	
Colné	Hart	Merritt	Sullivan	Yeomans	
Connell	Higgins	Murray	Sweet	Young	60

FOR EDWARD M. SHEPARD.

Beach	Drummond	Friedman	Huber	Terry	
Chanler	Evans	Fry	Martin	Wheeler	
Cosad					11

FOR ALTON B. PARKER.

McDaniels 1

FOR D-CADY HERRICK.

Brace Myers 2

FOR MARTIN W. LITTLETON.

Hollmann Hoyt 2

FOR J. W. GERARD.

O'Connor 1

FOR MARTIN H. GLYNN.

Saunders 1

FOR JOHN W. KERNAN.

Briden[illegible]ecker Day Miller Trombly 4

FOR JOHN A. DIX.

Kennedy 1

Whole number of votes cast	196
Necessary to a choice	99

	Senators.	Assemblymen.	Total.
For William F. Sheehan	24	62	86
For Chauncey M. Depew	21	60	81
For Edward M. Shepard	2	11	13
For Alton B. Parker	0	1	1
For D-Cady Herrick	1	2	3
For Martin W. Littleton	1	2	3
For J. W. Gerard	1	1	2
For Martin H. Glynn	0	1	1
For John W. Kernan	0	4	4
For M. J. O'Brien	1	0	1
For John A. Dix	0	1	1

On motion of Senator Grady, the Clerk was ordered to announce the result of future joint ballots first by each House separately and then jointly.

A quorum of all the Senators and Members of Assembly being present and voting, and no person having received a majority of all the votes cast, the President of the Senate announced that no choice had been made for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Senator Wagner, the joint assembly took a recess until Tuesday, January 24th, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, and that no person having received a majority of all the votes cast, no choice had been made, and that the joint assembly had adjourned to meet to-morrow at twelve o'clock noon in the Assembly Chamber.

Mr. Ahern offered for the consideration of the House a resolution, in the words following:

Whereas, The United States possesses one of the finest navy yards in the world, situate in the borough of Brooklyn, city and State of New York and comprising one hundred and forty-four acres of land and three miles of water front; and,

Whereas, Said navy yard is sufficiently equipped to economically and expeditiously construct the largest class of battleships as has been demonstrated by the building of the United States battleships Connecticut and Florida; and,

Whereas, The maintenance of the well organized and efficient mechanical force in said yard, ready to meet any emergency, is demanded; and,

Whereas, Battleships should be built in the government navy yards in order that competition between the private yards shall not be lost in a combination to overcharge the government; and,

Whereas, Arrangements have been made for the building of a battleship, New York, at the New York navy yard, and a movement is now on foot to build this vessel at a private yard; now, therefore, be it

Resolved (if the Senate concur), That the President of the United States, the Secretary of the Navy and the Representatives in Congress from this State, be and they hereby are, requested to strenuously oppose the effort which is being made to have the battleship New York built in a private yard; and they are requested to see that this battleship is built in the New York navy yard where such successful work has been heretofore done.

Said resolution giving rise to debate, ordered, that the same be laid upon the table.

Mr. Cuvillier offered for the consideration of the House a resolution in the words following:

Resolution petitioning the President of the United States to call an extraordinary session of Congress.

Whereas, The sixty-first and third session of Congress adjourns sine die, March 4, 1911, without amending or repealing the Payne-Aldrich Tariff Law.

Whereas, The people of the United States on November the eighth, 1910, by their votes repudiated the Payne-Aldrich high tariff law in imposing unnecessary and burdensome taxation on the necessaries of life of the American people.

Whereas, the sixty-second Congress does not meet under the Constitution until the first Monday in December, 1911.

Resolved (if the Senate concur), That the Legislature of the State of New York respectfully petitions the President of the United States to exercise the power invested in him by the Constitution of the United States to call immediately an extraordinary session of Congress for the purpose of revising or repealing the Payne-Aldrich high tariff law, and to revise the tariff downward, thereby relieving the people of the United States of the unjust burden of taxation imposed on the necessaries of life by the Payne-Aldrich high tariff law.

Resolved, That the President of the Senate, and the Speaker of the Assembly transmit a copy of this resolution to the President of the United States, the Senate of the United States, and the House of Representatives.

Said resolution giving rise to debate, ordered, that the same be laid upon the table.

Mr. Bush offered for the consideration of the House a resolution, in the words following:

Whereas, The present limitations upon the size and weight of articles which may be carried by the United States mails do not accord with the progressive policies of other countries on this subject; and,

Whereas, A general extension of the parcels post system so as to increase the size and weight of the articles which may be so carried will greatly promote the convenience of the public.

Resolved (if the Senate concur), That the Legislature respectfully requests the Senators and Representatives in the Congress of the United States to effect the passage of a law, at the present session, extending the parcels post system accordingly.

Said resolution giving rise to debate, ordered, that the same be laid upon the table.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *January* 23, 1911.

Resolved (if the Assembly concur), That the Senators and Representatives from this State, in the Congress of the United States, be and they are hereby respectfully, but most earnestly, requested to vote and exert all their individual and collective influence in favor of selecting the city of San Francisco, in the State of California, as the location for the Panama-Pacific International Exposition, intended to be held in the year 1915, in celebration of the completion and operation of the Panama canal; and be it further,

Resolved (if the Assembly concur), That in making this request of the Senators and Representatives aforesaid, the Senate and Assembly of the State of New York, are confident that such request is in conformity with the unanimous sentiment of the people of this State, and is intended as recognizing the most generous attitude of the people of California in subscribing to a State fund, amounting to seventeen and one-half millions of dollars, for the payment of all expenses connected with the holding of such International Exposition, and neither asking nor desiring any other

aid from Congress, concerning said project, other than an official invitation from our government to all foreign nations to participate in said exposition; and be it further,

Resolved (if the Assembly concur), That a copy of this resolution properly engrossed and signed by the President of the Senate and the Speaker of the Assembly, and duly attested by the Secretary of State, be forwarded, with all convenient speed, to the Clerk of the Senate of the United States and the Clerk of the Congressional House of Representatives.

By order of the Senate,

PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. A. E. Smith, the House adjourned.

TUESDAY, JANUARY 24, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Blauvelt introduced a bill entitled "An act to legalize, ratify and confirm the proceedings for the appointment of commissioners for the drainage of certain swamp lands known as 'Nanuet Meadows,' situated in the town of Clarkstown, county of Rockland, and to legalize, ratify and confirm certain acts and proceedings of such commissioners" (Int. No. 137), which was read the first time and referred to the committee on internal affairs.

Also, by request, "An act to amend the Town Law, in relation to the compensation of certain town officers in the counties of Rockland, Orange and Sullivan" (Int. No. 138), which was read the first time and referred to the committee on internal affairs.

Mr. Drummond, by request, introduced a bill entitled "An act to enlarge the boundaries of the city of Auburn" (Int. No. 139), which was read the first time and referred to the committee on affairs of cities.

Mr. Gillen introduced a bill entitled "An act to provide that the pier at the foot of Gold street, East river, in the borough of Brooklyn, New York city, shall be a public dock" (Int. No. 140), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to authorize the board of assessors of the city of New York to estimate and allow the damages sustained by owners of real property fronting upon streets approaching the Manhattan bridge over the East river in said city" (Int. No. 141), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to provide for the reopening of Bridge street and the northerly lines of Marshall street in the borough of Brooklyn, city of New York, and the acquisition of property necessary therefor" (Int. No. 142), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg introduced a bill entitled "An act equalizing the salaries of the attendants and messengers of the surrogates' court in the county of New York, with the salaries of the attendants of the Supreme Court in the first judicial district, and the Appellate Division thereof in the first department" (Int. No. 143), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Penal Law, in relation to false statements by an employer to a selling agent as to latter's account of sales" (Int. No. 144), which was read the first time and referred to the committee on codes.

Mr. Graubard introduced a bill entitled "An act to amend the General Business Law, in relation to the relicensing of employment agencies" (Int. No. 145), which was read the first time and referred to the committee on general laws.

Mr. Hoey introduced a bill entitled "An act to amend the Greater New York charter, in regard to the appointment of a municipal architect" (Int. No. 146), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Public Officers Law, in relation to vacations for persons in the service of the State and of the several civil subdivisions thereof" (Int. No. 147), which was read the first time and referred to the committee on the judiciary.

Mr. McGrath introduced a bill entitled "An act to amend the Greater New York charter, so as to provide for a relief and pension fund for the benefit of the members of the clerical and uniformed forces of the department of street cleaning" (Int. No. 148), which was read the first time and referred to the committee on affairs of cities.

Mr. MacGregor introduced a bill entitled "An act providing for the relief of certain taxpayers of the city of Buffalo by placing the cost of acquiring lands for the extension of Laurel street in said city upon the general fund" (Int. No. 149), which was read the first time and referred to the committee on affairs of cities.

Mr. C. W. Phillips introduced a bill entitled "An act to amend the Indian Law, in relation to prosecution of actions and proceedings by the Seneca Nation of Indians" (Int. No. 150), which was read the first time and referred to the committee on general laws.

Mr. Sweet introduced a bill entitled "An act to amend the Agricultural Law, in relation to actions against agricultural societies" (Int. No. 151), which was read the first time and referred to the committee on agriculture.

Mr. Trombly introduced a bill entitled "An act to amend the Highway Law, in relation to State and county highways in cities of the third class" (Int. No. 152), which was read the first time and referred to the committee on internal affairs.

Mr. Brennan introduced a bill entitled "An act to amend the Banking Law, in relation to the establishment of a depositors guaranty fund" (Int. No. 153), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Public Health Law, relating to cold storage and refrigerating warehouses and places, and the sale or disposition of the food kept or preserved therein" (Int. No. 154), which was read the first time and referred to the committee on public health.

Mr. Goldstein introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to notice of sale of personal

property" (Int. No. 155), which was read the first time and referred to the committee on codes.

Mr. Caughlan introduced a bill entitled "An act to amend the Railroad Law in relation to the construction of street surface railroads upon grounds occupied by the public buildings or in public parks" (Int. No. 156), which was read the first time and referred to the committee on railroads.

Mr. Wende introduced a bill entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to examinations and grade certificates for assistant teachers" (Int. No. 157), which was read the first time and referred to the committee on affairs of cities.

Mr. A. E. Smith introduced a bill entitled "An act appropriating a portion of the unexpended balance of the appropriation heretofore made to the office of the Secretary of State for carrying out the provisions of article eleven of the Highway Law, in relation to motor vehicles" (Int. No. 158), which was read the first time and referred to the committee on ways and means.

Mr. Hart introduced a bill entitled "An act to legalize, ratify and confirm the sale and issuance of the bonds of the city of Johnstown in the aggregate amount of fifteen thousand dollars, and to provide for the payment of the principal and interest of same" (Int. No. 159), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Mork introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to determining the jurisdiction of the Court of Appeals upon an appeal from an order" (Int. No. 160), which was read the first time and referred to the committee on codes.

Also, by unanimous consent, "An act to amend the Code of Civil Procedure, in relation to the form of an order for the purposes of appeal" (Int. No. 161), which was read the first time and referred to the committee on codes.

Mr. Speaker announced the resignation of Joseph Hurley from the office of principal doorkeeper of the Assembly.

Mr. Sheide offered for the consideration of the House a resolution, in the words following:

Resolved, that Peter J. O'Neil be and he hereby is elected principal doorkeeper of the Assembly for the session of 1911 to fill the vacancy caused by the resignation of Joseph Hurley.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared Peter J. O'Neil duly elected principal doorkeeper of the Assembly for the session of 1911, to fill the vacancy caused by the resignation of Joseph Hurley.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	DeLano	Hammond	McElligott	Shortt
Ahern	Donnelly	Hearn	McGrath	Smith A E
Allen	Donovan	Herrick J J	McKeon	Smith T K
Baumes	Drummond	Herrick W R	Merritt	Spielberg
Beach	Ebbetts	Heyman	Miller	Stivers
Blauvelt	Egan	Higgins	Monczynski	Sullivan
Boylan	Evans	Hinman	Mork	Talmage
Brace	Farrell	Hoey	Murray	Terry
Brennan	Fay	Hoff	Myers	Thorn
Brereton	Filley	Hollman	Neupert	Trombly
Bridenbecker	Fitzpatrick	Hoyt	Nolan	Turley
Brooks	Foley	Huber	O'Connor	Walker
Brown	Friedman	Jackson	Oliver	Ward
Bryant	Fry	Jameson	O'Neill J J	Waring
Bush	Geatons	Jones	O'Neil M A	Warren
Butler	Gerhardt	Kennedy	Pappert	Washburn
Carew	Gerken	Keys	Parker A	Waters F A
Caughlan	Gillen	Kopp	Parker J S	Waters R B
Chanler	Goldberg	Lansing	Patrie	Weil
Cheney	Goldstein	LaReau	Phillips C W	Wende
Coffey	Goodman	Lent	Pierce	Wheeler
Collin	Goodwin	Levy A J	Saunders	White
Colné	Gould	Lincoln	Schifferdecker	Wilson
Connell	Graubard	Macdonald	Seeley	Winters
Constantine	Gray	MacGregor	Shannon	Yale
Cosad	Gregg	Manley	Shea	Yeomans
Cross	Gurnett	Martin	Sheide	Young
Cuvillier	Hackett	McCue	Shepardson	Zorn
Dawson	Hart	McDaniels	Shlivek	Speaker
Day				

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Chanler of Dutchess, LaReau of Erie and J. S.

Phillips of Allegany were excused for the day on account of illness.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Fiero	Harden	Murtaugh	Stilwell	
Black	Frawley	Harte	O'Brien	Sullivan C D	
Cronin	Gittins	Long	Pollock	Sullivan T D	
Cullen	Grady	McClelland	Ramsperger	Wagner	
Ferris	Griffin	McManus	Sanner		24

FOR CHAUNCEY M. DEPEW.

Allen	Coats	Hamilton	Platt	Travis	
Argetsinger	Cobb	Heacock	Rose	Wainwright	
Brackett	Emerson	Hewitt	Sage	Walters	
Bussey	Griffith	Ormrod	Thomas		19

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR MARTIN W. LITTLETON.

Burd	1

FOR M. J. O'BRIEN.

Loomis	1

FOR CURTIS N. DOUGLAS.

White	1

FOR J. W. GERARD.

Duhamel	1

The Speaker then directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gregg	McCue	Schifferdecker
Boylan	Fitzpatrick	Gurnett	McElligott	Seeley
Brennan	Foley	Hackett	McGrath	Sheide
Bush	Frisbie	Hearn	McKeon	Smith A E
Carew	Geatons	Herrick J J	Monczynski	Spielberg
Caughlan	Gerhardt	Herrick W R	Mork	Turley

Collin	Gerken	Heyman	Neupert	Walker	
Cuvillier	Gillen	Hoey	Oliver	Warren	
Dawson	Goldberg	Jackson	O'Neill J J	Washburn	
Donnelly	Goldstein	Jameson	O'Neil M A	Weil	
Donovan	Gould	Levy A J	Parker A	Wende	
Egan	Graubard	Manley	Patrie	Zorn	61
Farrell					

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hinman	Nolan	Talmage	
Ahern	Cross	Hoff	Pappert	Thorn	
Allen	DeLano	Jones	Parker J S	Ward	
Baumes	Ebbetts	Keys	Phillips C W	Waring	
Brereton	Filley	Kopp	Pierce	Waters F A	
Brooks	Goodman	Lansing	Shannon	Waters R B	
Brown	Goodwin	Lent	Shea	White	
Bryant	Gray	Lincoln	Shepardson	Wilson	
Butler	Haines	Macdonald	Shlivek	Winters	
Cheney	Hammond	MacGregor	Smith T K	Yale	
Coffey	Hart	Merritt	Stivers	Yeomans	
Colné	Higgins	Murray	Sullivan	Young	61
Connell					

FOR EDWARD M. SHEPARD.

Beach	Drummond	Friedman	Huber	Wheeler	
Cosad	Evans	Fry	Terry		9

FOR ALTON B. PARKER.

McDaniels 1

FOR D-CADY HERRICK.

Brace 1

FOR MARTIN W. LITTLETON.

Hollmann Hoyt 2

FOR J. W. GERARD.

O'Connor 1

FOR MARTIN H. GLYNN.

Saunders 1

FOR JOHN D. KERNAN.

Bridenbecker Day Miller Trombly 4

FOR M. J. O'BRIEN.

Shortt 1

FOR JOHN A. DIX.

Kennedy 1

FOR CURTIS N. DOUGLAS.

Martin Myers 2

Whole number of votes cast..... 194
Necessary to a choice..... 98

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	24	61	85
For Chauncey M. Depew.....	19	61	80
For Edward M. Shepard.....	2	9	11
For Alton B. Parker.....	0	1	1
For D-Cady Herrick.....	0	1	1
For Martin W. Littleton.....	1	2	3
For J. W. Gerard.....	1	1	2
For Martin H. Glynn.....	0	1	1
For John W. Kernan.....	0	4	4
For M. J. O'Brien.....	1	1	2
For John A. Dix.....	0	1	1
For Curtis N. Douglas.....	1	2	3

A quorum of all the Senators and Members of Assembly being present and voting, and no person having received a majority of all the votes cast, the President of the Senate announced that no choice had been made for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Senator Wagner, the joint assembly took a recess until Wednesday, January 25th, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, and that no person having received a majority of all the votes cast, no choice had been made, and that the joint assembly had adjourned to meet to-morrow at twelve o'clock noon in the Assembly Chamber.

Mr. Brennan offered for the consideration of the House a resolution, in the words following:

Whereas, A notice of contest of election has been duly filed with the Clerk of this House, whereby Jacob Kostman contests the election of Harold Spielberg, representing the Tenth Assembly District, county of New York; therefore be it

Resolved, That the said contest of election and any and all other notices of contest and contests of election of members of this House which may be subsequently presented or filed, upon the presentation and filing of the same, be and the same are hereby ordered referred to the committee on privileges and elections and

that the said committee be and it hereby is empowered to hear said contest of election, to conduct an investigation into the grounds thereof, and to take testimony therein, with full power to prosecute its inquiry in any and every direction in its judgment necessary and proper to enable it to obtain and to report to this House the facts in reference to the said contest of election, together with its recommendations thereon; and further be it

Resolved, That the chairman of said committee be and hereby is authorized to employ a stenographer and two other assistants as may deemed necessary by him, for the proper conduct of the inquiry herein directed and that the committee be empowered in its discretion to conduct the investigation and take testimony in any county of the State.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hackett	McDaniels	Shlivek
Ahern	DeLano	Haines	McElligott	Shortt
Allen	Donnelly	Hart	McKeon	Smith A E
Baumes	Donovan	Hammond	Merritt	Smith T K
Beach	Drummond	Herrick J J	Miller	Spielberg
Boylan	Ebbetts	Herrick W R	Monczynski	Stivers
Brace	Egan	Heyman	Mork	Talmage
Brennan	Evans	Hinman	Murray	Terry
Brereton	Farrell	Hoey	Myers	Thorn
Bridenbecker	Fay	Hoff	Neupert	Trombly
Brooks	Filley	Hollmann	Nolan	Walker
Brown	Foley	Huber	O'Connor	Ward
Bryant	Friedman	Jackson	Oliver	Waring
Bush	Fry	Jameson	O'Neill J J	Warren
Butler	Geatons	Kennedy	O'Neil M A	Washburn
Carew	Gerhardt	Keys	Pappert	Waters R B
Caughlan	Gerken	Kopp	Parker A	Weil
Cheney	Gillen	Lansing	Patrie	Wende
Coffey	Goldberg	Lent	Phillips C W	Wheeler
Collin	Goodman	Levy A J	Pierce	Wilson
Colné	Goodwin	Lincoln	Saunders	Winters
Connell	Gould	Macdonald	Schifferdecker	Yale
Cosad	Graubard	MacGregor	Seeley	Yeomans
Cross	Gray	Manley	Shea	Young
Cuvillier	Gregg	Martin	Sheide	Zorn
Dawson	Gurnett	McCue	Shepardson	

On motion of Mr. A. E. Smith, the House adjourned.

WEDNESDAY, JANUARY 25, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Oscar Krauch.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Fifty-second Annual Report of the Superintendent of Insurance, which was laid upon the table and ordered printed.

(See Senate Document No. 20.)

Also, the annual report of the State Treasurer, relative to fines collected under the Highway Law, which was laid upon the table.

Mr. Speaker presented the following communication:

"*Speaker New York State Assembly, Albany. N. Y.*

"The Chamber of Commerce of San Francisco, the senior commercial organization of the Pacific coast hereby extends thanks to you and through you to the honorable body you represent for your friendly action in designating the city of San Francisco as your choice as the site of the Panama Pacific International Exposition. The Atlantic and Pacific seaboards will be brought thousands of miles closer by water than ever before in their history by the opening of the Panama canal to commerce. Their destinies and their interest will be forever allied. We consider your action as a pleasing augury and a pledge of appreciation of our present capacity for achievement and our promise of future greatness.

"WILLIAM MATSON, *President.*"

Mr. Baumes introduced a bill entitled "An act to provide for the erection of a new armory building in the city of Newburgh, New York, the acquisition of a site for the same, and making an appropriation therefor; and providing for the sale of the old armory site and building and the application of the proceeds to such new building, and for other purposes relative to the same" (Int. No. 162), which was read the first time and referred to the committee on ways and means.

Mr. Farrell introduced a bill entitled "An act to amend the Greater New York charter, in relation to free hospital boats or barges for the city of New York and to provide for meeting the temporary expenses thereof by the issuance and sale of certificates

of indebtedness of said city" (Int. No. 163), which was read the first time and referred to the committee on affairs of cities.

Mr. Foley introduced a bill entitled "An act to amend article four of the Labor Law, entitled 'An act relating to labor, constituting chapter thirty-one of the Consolidated Laws' in relation to medical reports to the Bureau of Labor Statistics" (Int. No. 164), which was read the first time and referred to the committee on labor and industries.

Mr. Fry introduced a bill entitled "An act to repeal chapter two hundred and forty-four of the Laws of eighteen hundred and seventy-eight, entitled 'An act relating to the assessment for Prospect park, in the city of Brooklyn,' and various acts amendatory thereof and supplemental thereto, and providing for the repayment of certain moneys collected and paid thereunder" (Int. No. 165), which was read the first time and referred to the committee on affairs of cities.

Mr. Higgins introduced a bill entitled "An act to amend the Greater New York charter, in relation to licensing operators of moving picture apparatus and its connections" (Int. No. 166), which was read the first time and referred to the committee on affairs of cities.

Mr. Hinman introduced a bill entitled "An act to amend the Second Class Cities Law with relation to city bonds" (Int. No. 167), which was read the first time and referred to the committee on affairs of cities.

Mr. Kopp introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to transportation of passengers at reduced rates, in certain cases" (Int. No. 168), which was read the first time and referred to the committee on railroads.

Also, "An act to amend the Greater New York charter, in relation to reviewing action of borough presidents and the board of estimate and apportionment in rejecting bids, in the city of New York" (Int. No. 169), which was read the first time and referred to the committee on affairs of cities.

Mr. McGrath introduced a bill entitled "An act to amend the Code of Civil Procedure in relation to judgments" (Int. No. 170), which was read the first time and referred to the committee on codes.

Mr. Shea introduced a bill entitled "An act to amend the Prison Law, in relation to the State Board of Parole and its members, abolishing such board and creating the office of supervisor of paroles and confining his compensation to a per diem allowance" (Int. No. 171), which was read the first time and referred to the committee on penal institutions.

Mr. Turley introduced a bill entitled "An act to amend chapter one hundred and twenty-five of the Laws of nineteen hundred and six, entitled 'An act in relation to illuminating gas in the city of New York, and regulating the quality and pressure thereof and the price to consumers other than said city and providing a penalty for violation,' in relation to price to be charged in certain wards in the borough of Brooklyn" (Int. No. 172), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Wende introduced a bill entitled "An act to extend the corporate existence of the Enterprise Land Company, and to validate its conveyance of real estate and the election of its trustees" (Int. No. 173), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Forest, Fish and Game Law, in relation to spearing non-game fish in the waters of Lake Erie and its tributaries" (Int. No. 174), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Wheeler introduced a bill entitled "An act to amend the Highway Law, in relation to the removal of weeds, brush and obstructions from the highway" (Int. No. 175), which was read the first time and referred to the committee on internal affairs.

Mr. Miller introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing fish in certain creeks in the towns of Richfield and Exeter, in the county of Otsego," (Int. No. 176), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Spielberg introduced a bill entitled "An act to amend the Penal Law, in relation to premiums with sales by druggists and pharmacists" (Int. No. 177), which was read the first time and referred to the committee on codes.

Mr. Gurnett introduced a bill entitled "An act making an ap-

propriation for highway improvement in expediting the building of a State highway or road from a point on route number four at the dividing line between Broome and Tioga counties in Geneva" (Int. No. 178), which was read the first time and referred to the committee on ways and means.

Mr. McDaniels introduced a bill entitled "An act to amend the Highway Law, in relation to route nine of the State highway system" (Int. No. 179), which was read the first time and referred to the committee on internal affairs.

Mr. Sweet (by request) introduced a bill entitled "An act to amend chapter two hundred and ninety of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of supervisor in the county of Oswego a salaried office,' in relation to compensation and mileage of supervisors in such county" (Int. No. 180), which was read the first time and referred to the committee on internal affairs.

Also, "An act making an appropriation for the construction of new buildings for the Oswego Normal Training School as provided by chapter five hundred and ninety-two of the Laws of nineteen hundred and nine, and the acts amendatory thereof" (Int. No. 181), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend chapter one hundred and eighteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of county clerk of Oswego county a salaried office, and regulating the management of said office, and fixing the salary of said clerk and his assistants,' in relation to the salaries of the special deputy and county clerk and index clerk, in said county" (Int. No. 182), which was read the first time and referred to the committee on internal affairs.

Mr. Shannon introduced a bill entitled "An act to amend the County Law, in relation to trusts for maintenance of cemetery lots and appurtenances" (Int. No. 183), which was read the first time and referred to the committee on internal affairs.

Mr. Chanler introduced a bill entitled "An act to amend section one thousand thirty-five of the Greater New York charter" (Int. No. 184), which was read the first time and referred to the committee on affairs of cities.

Mr. Bridenbecker introduced a bill entitled "An act to authorize the town of Frankfort in Herkimer county to provide for the construction of a State highway of additional width and pay the expense thereof" (Int. No. 185), which was read the first time and referred to the committee on internal affairs.

Mr. Jones introduced a bill entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes" (Int. No. 186), which was read the first time and referred to the committee on ways and means.

Mr. Foley, from the committee on affairs of cities, to which was referred the resolution relative to extending the time of the committee appointed to draft a charter for the city of New York, to make final report, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That the time of the committee heretofore appointed with instructions to draft a charter for the city of New York, to submit its final report on or before January 15, 1911, be extended until February 15, 1911, for such purpose only.

which report was agreed to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the Clerk of the Senate and the Clerk of the Assembly be and hereby are authorized and directed to purchase such law and reference books and publications, including Clerk's Manuals, as may be required for the Senate and Assembly Libraries and for the use of the various committees and the Legislature; the same to be paid for out of the appropriation for the contingent expenses of the Legislature upon the certificate of the Clerk of the Senate or Assembly, respectively.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McElligott	Shortt
Ahern	Donnelly	Hammond	McGrath	Smith A E
Allen	Donovan	Hearn	McKeon	Smith T K
Baumes	Drummond	Herrick J J	Merritt	Spielberg
Blauvelt	Ebbetts	Herrick W R	Miller	Stivers
Boylan	Egan	Heyman	Monczynski	Sullivan
Brace	Evans	Higgins	Mork	Sweet
Brennan	Farrell	Hinman	Murray	Talmage
Brereton	Fay	Hoey	Myers	Terry
Bridenbecker	Filley	Hoff	Neupert	Thorn
Brooks	Fitzpatrick	Hollmann	Nolan	Trombly
Brown	Foley	Hoyt	O'Connor	Turley
Bryant	Friedman	Huber	O'Neill J J	Walker
Bush	Fry	Jackson	O'Neil M A	Ward
Butler	Geatons	Jameson	Pappert	Warren
Carew	Gerhardt	Kennedy	Parker A	Washburn
Caughlan	Gerken	Keys	Parker J S	Waters F A
Cheney	Gillen	Kopp	Patrie	Waters R B
Coffey	Goldberg	Lansing	Phillips C W	Weil
Collin	Goldstein	Lent	Pierce	Wende
Colné	Goodman	Levy A J	Saunders	Wheeler
Connell	Goodwin	Levy J	Schifferdecker	White
Constantine	Gould	Lincoln	Seeley	Wilson
Cosad	Graubard	Macdonald	Shannon	Winters
Cross	Gray	MacGregor	Shea	Yale
Cuvillier	Gregg	Manley	Sheide	Yeomans
Dawson	Gurnett	Martin	Shepardson	Young
Day	Hackett	McDaniels	Shlivek	Zorn

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	DeLano	Hearn	McGrath	Smith A E
Ahern	Donnelly	Herrick J J	McKeon	Smith T K
Allen	Donovan	Herrick W R	Merritt	Spielberg
Baumes	Drummond	Heyman	Miller	Stivers
Beach	Ebbetts	Higgins	Monczynski	Sullivan
Blauvelt	Egan	Hinman	Mork	Sweet
Boylan	Evans	Hoey	Murray	Talmage
Brace	Farrell	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Brereton	Filley	Hoyt	Nolan	Trombly
Bridenbecker	Fitzpatrick	Huber	O'Connor	Turley
Brooks	Foley	Jackson	Oliver	Walker
Brown	Friedman	Jameson	O'Neill J J	Ward
Bryant	Fry	Jones	O'Neil M A	Waring
Bush	Geatons	Kennedy	Pappert	Warren
Butler	Gerhardt	Keys	Parker A	Washburn
Carew	Gerken	Kopp	Parker J S	Waters F A
Caughlan	Gillen	Lansing	Patrie	Waters R B

Cheney	Go'dberg	Lent	Phillips C W	Weil
Coffey	Gcld te'n	Levy A J	Pierce	Wende
Collin	Gcodman	Levy J	Saunders	Wh eler
Colné	Goodwin	Lincoln	Schifferdecker	White
Connell	Gould	Macdonald	Seeley	Wilson
Constantine	Graubard	MacGregor	Shannon	Winters
Cosad	Gray	Manley	Shea	Yale
Cross	Gurnett	Martin	Sheide	Yeomans
Cuvillier	Hackett	McCue	Shepardson	Young
Dawson	Hart	McDaniels	Shlivek	Zorn
Day	Hammond	McElligott	Shortt	Speaker

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Chanler of Dutchess, LaReau of Erie and J. S. Phillips of Allegany were excused on account of illness.

On motion of Mr. J. Levy, and by unanimous consent, the fact that he was unavoidably absent from the session of January 24th and would, if present, have voted for Wm. F. Sheehan for Senator in Congress was ordered entered upon the journal.

On motion of Mr. Sweet, and by unanimous consent, the fact that he was unavoidably absent from the session of January 24th and would, if present, have voted for Chauncey M. Depew for Senator in Congress was ordered entered upon the journal.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WM. F. SHEEHAN.

Black	Frawley	Harte	O'Brien	Stilwell	
Cronin	Gittins	Long	Pollock	Sullivan C D	
Cullen	Grady	McClelland	Ramsperger	Sullivan T D	
Ferris	Griffin	McManus	Sanner	Wagner	
Fiero	Harden	Murtaugh			23

FOR CHAUNCEY M. DEPEW.

Allen	Coats	Hamilton	Platt	Thomas	
Argetsinger	Cobb	Heacock	Rose	Travis	
Brackett	Emerson	Hewitt	Sage	Walters	
Bussey	Griffith	Ormrod			18

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR MARTIN W. LITTLETON.

Burd		1

FOR J. W. GERARD.

Duhamel		1

FOR M. J. O'BRIEN.

Loomis		1

FOR CURTIS N. DOUGLAS.

White		1

The Speaker then directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WM. F. SHEEHAN.

Blauvelt	Fay	Gurnett	McCue	Schifferdecker	
Boylan	Fitzpatrick	Hackett	McElligott	Seeley	
Brennan	Foley	Hearn	McGrath	Sheide	
Bush	Frisbie	Herrick J J	McKeon	Smith A E	
Carew	Geatons	Herrick W R	Monczynski	Spielberg	
Caughlan	Gerhardt	Heyman	Mork	Turley	
Collin	Gerken	Hoey	Neupert	Walker	
Cuvillier	Gillen	Jackson	Oliver	Warren	
Dawson	Goldberg	Jameson	O'Neill J J	Washburn	
Donnelly	Goldstein	Levy A J	O'Neil M A	Weil	
Donovan	Gould	Levy J	Parker A	Wende	
Egan	Graubard	Manley	Patrie	Zorn	
Farrell	Gregg				62

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hoff	Pappert	Talmage	
Ahern	Cross	Jones	Parker J S	Thorn	
Allen	DeLano	Keys	Phillips C W	Ward	
Baumes	Ebbetts	Kopp	Pierce	Waring	
Brereton	Filley	Lansing	Shannon	Waters F A	
Brooks	Goodman	Lent	Shea	Waters R B	
Brown	Goodwin	Lincoln	Shepardson	White	
Bryant	Gray	Macdonald	Shlivek	Wilson	
Butler	Hammond	MacGregor	Smith T K	Winters	
Cheney	Hart	Merritt	Stivers	Yale	
Coffey	Higgins	Murray	Sullivan	Yeomans	
Colné	Hinman	Nolan	Sweet	Young	
Connell					61

FOR EDWARD M. SHEPARD.

Beach	Drummond	Friedman	Huber	Wheeler
Cosad	Evans	Fry	Terry	9

FOR ALTON B. PARKER.

McDaniels		1

FOR D–CADY HERRICK.

Brace		1

FOR MARTIN W. LITTLETON.

Hollman Hoyt 2

FOR J. W. GERARD.

O'Connor 1

FOR MARTIN H. GLYNN.

Saunders 1

FOR JOHN D. KERNAN.

Bridenbecker Day Miller Trombly 4

FOR M. J. O'BRIEN.

Shortt 1

FOR JOHN A. DIX.

Kennedy 1

FOR CURTIS N. DOUGLAS.

Martin Myers 2

Whole number of votes cast..... 193
Necessary to a choice..... 97

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	23	62	85
For Chauncey M. Depew.....	18	61	79
For Edward M. Shepard.....	2	9	11
For Alton B. Parker.....	0	1	1
For D-Cady Herrick.....	0	1	1
For Martin W. Littleton.....	1	2	3
For J. W. Gerard.....	1	1	2
For Martin H. Glynn.....	0	1	1
For John D. Kernan.....	0	4	4
For M. J. O'Brien.....	1	1	2
For John A. Dix.....	0	1	1
For Curtis N. Douglas.....	1	2	3

A quorum of all the Senators and Members of Assembly being present and voting, and no person having received a majority of all the votes cast, the President of the Senate announced that no choice had been made for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Senator Wagner, the joint assembly took a recess until January 26th at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, and that no person having received a majority of all the votes cast, no choice had been made, and that the joint assembly had adjourned to meet to-morrow at twelve o'clock noon in the Assembly Chamber.

Mr. Cuvillier presented the following notice:

ALBANY, N. Y., *January* 25, 1911.

To the Speaker of the Assembly, State of New York.

Sir.— Please take notice, as required by the rules of the Assembly, I shall move on February the 6th, 1911, to take from the table and final passage the following resolution introduced by me on January 23, 1911, as follows: "Resolution petitioning the President of the United States to call an extraordinary session of Congress," to amend or repeal the Payne-Aldrich High Tariff Law.

LOUIS A. CUVILLIER.

On motion of Mr. A. E. Smith, the House adjourned.

THURSDAY, JANUARY 26, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the State Custodial Asylum at Rome, which was laid upon the table and ordered printed.

(See Assembly Document No. 17.)

Mr. Foley introduced a bill entitled "An act to amend the Greater New York charter, relative to the number of deputies in the department of docks and ferries" (Int. No. 187), which was read the first time and referred to the committee on affairs of cities.

Mr. Gerken introduced a bill entitled "An act to amend the General Business Law, in relation to the licensing of vending and slot machines" (Int. No. 188), which was read the first time and referred to the committee on general laws.

Mr. Gillen introduced a bill entitled "An act to amend the General City Law, in relation to compensating certain city employees who are injured in the discharge of their duties" (Int. No. 189), which was read the first time and referred to the committee on affairs of cities.

Mr. Jackson introduced a bill entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers' with regard to the election and qualification of judges of said court" (Int. No. 190), which was read the first time and referred to the committee on the judiciary.

Mr. McGrath introduced a bill entitled "An act to amend the General City Law, in relation to compensating certain city employees who are injured in the discharge of their duties" (Int. No. 191), which was read the first time and referred to the committee on affairs of cities.

Mr. Ward introduced a bill entitled "An act to amend the Code of Civil Procedure in relation to short form orders upon the determination of motions" (Int. No. 192), which was read the first time and referred to the committee on codes.

Mr. Wende introduced a bill entitled "An act to amend the State Boards and Commissions Law, in relation to the powers and duties of the State Water Supply Commission in respect to water companies, outside the city of New York" (Int. No. 193), which was read the first time and referred to the committee on electricity, gas and water supply.

Also, "An act to amend the Judiciary Law, in relation to actions or proceedings where one of the attorneys is a member of the Legislature" (Int. No. 194), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Decedent Estate Law, in relation to the manner of execution of will" (Int. No. 195), which was read the first time and referred to the committee on the judiciary.

Mr. Young introduced a bill entitled "An act to amend chapter four hundred and thirty-one of the Laws of nineteen hundred and nine, entitled 'An act to establish a public school teachers' retirement fund in Westchester county,' in relation to the sources of

said fund, payments into and from the same, persons entitled to annuities and other moneys payable therefrom and the amount of any such annuity" (Int. No. 196), which was read the first time and referred to the committee on public education.

Mr. Oliver introduced a bill entitled "An act to incorporate the World Bible League" (Int. No. 197), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Penal Law, in relation to keeping false weights and measures" (Int. No. 198), which was read the first time and referred to the committee on codes.

Also, "An act to increase the number of justices of the Supreme Court of the first judicial district of the State, and to provide for additional justices therein" (Int. No. 199), which was read the first time and referred to the committee on the judiciary.

Mr. Gould introduced a bill entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Niagara county, and abolishing the office of commissioner of jurors in such county" (Int. No. 200), which was read the first time and referred to the committee on general laws.

Mr. Youmans introduced a bill entitled "An act to change the name of the First Wesleyan Society of Ontario, New York, a religious corporation situated in the town of Ontario in the county of Wayne, to the Immanuel Congregational Church of Ontario, New York" (Int. No. 201), which was read the first time and referred to the committee on charitable and religious societies.

Mr. A. Parker introduced a bill entitled "Concurrent resolution proposing an amendment to section one of article two of the constitution, in relation to qualifications of voters" (Int. No. 202), which was read the first time and referred to the committee on the judiciary.

Mr. Patrie introduced a bill entitled "An act to establish a State school of agriculture in the county of Greene, and making an appropriation therefor" (Int. No. 203), which was read the first time and referred to the committee on ways and means.

Mr. Manley introduced a bill entitled "An act to amend chapter four hundred and thirty-eight of the Laws of nineteen hundred and

nine, entitled 'An act authorizing an inquiry into the question as to providing terminal facilities on the canals of this State, with a view of ultimately improving and fostering the commerce of the State, and making an appropriation therefor,' in relation to the membership of the commission created thereby" (Int. No. 204), which was read the first time and referred to the committee on canals.

Mr. Murray introduced a bill entitled "An act to amend the County Law, relative to business hours in certain county offices in the counties of New York, Kings and Queens" (Int. No. 205), which was read the first time and referred to the committee on internal affairs.

Also, "Concurrent resolution of the Senate and Assembly proposing an amendment to section one of article five of the Constitution and the repeal of section two thereof, in relation to election of State officers" (Int. No. 206), which was read the first time and referred to the committee on the judiciary.

Mr. Sweet introduced a bill entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to bonds for the construction of certain sewers therein and a sewage disposal plant therefor, and exempting such matter from the provisions of section six of the General Municipal Law" (Int. No. 207), which was read the first time and referred to the committee on affairs of cities.

Mr. MacGregor, by request, introduced a bill entitled "An act to amend the Election Law, in relation to the form of ballot and method of voting for candidates for judicial office" (Int. No. 208), which was read the first time and referred to the committee on the judiciary.

Mr. Hearn introduced a bill entitled "An act to amend 'An act in relation to railroads, constituting chapter forty-nine of the Consolidated Laws,' and known as the 'Railroad Law'" (Int. No. 209), which was read the first time and referred to the committee on railroads.

Mr. McGrath introduced a bill entitled "An act to amend the Penal Law, relative to sentences for murder in the first degree which have been commuted to life imprisonment" (Int. No. 210),

which was read the first time and referred to the committee on codes.

Mr. Goodwin introduced a bill entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer system outside of incorporated cities and villages" (Int. No. 211), which was read the first time and referred to the committee on internal affairs.

Mr. Sullivan introduced a bill entitled "An act to provide for the acquisition by the State of certain land in the village of Fredonia for normal school purposes, and making an appropriation therefor" (Int. No. 212), which was read the first time and referred to the committee on ways and means.

Mr. Wilson introduced a bill entitled "An act to provide for purchasing land and erecting a building at the New York Agricultural Experiment Station, and making an appropriation therefor" (Int. No. 213), which was read the first time and referred to the committee on ways and means.

Mr. Sullivan introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the jurisdiction of county courts" (Int. No. 214), which was read the first time and referred to the committee on codes.

Mr. Trombly introduced a bill entitled "An act to amend the Prison Law, in relation to the sale of prison products" (Int. No. 215), which was read the first time and referred to the committee on penal institutions.

Also, "An act to amend the Prison Law, in relation to the labor of prisoners" (Int. No. 216), which was read the first time and referred to the committee on penal institutions.

Also, "An act to amend the Prison Law, in relation to the earnings of prisoners" (Int. No. 217), which was read the first time and referred to the committee on penal institutions.

Also, "An act to establish a State reformatory for misdemeanants" (Int. No. 218), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Brace introduced a bill entitled "An act to amend the General Corporation Law, in relation to revival of corporate existence" (Int. No. 219), which was read the first time and referred to the committee on the judiciary.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. A. E. Smith (No. 159, Int. No. 158), entitled "An act reappropriating a portion of the unexpended balance of the appropriation heretofore made to the office of the Secretary of State for carrying out the provisions of article eleven of the Highway Law, in relation to motor vehicles," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Trombly (No. 118, Int. No. 117), entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes," reported the same with the following amendments:

Page 1, line 1, after the words "one million dollars" insert "two hundred thousand" and make "($1,000,000)" read "(1,200,000)."

Page 1, line 7, after "expended" insert "according to the provisions of article six of the Highway Law."

Page 1, line 8, after "of" insert "that part of."

Page 1, line 8, strike out "twenty-two" and insert "twenty-five."

Page 1, line 9, after "of" insert "said Highway Law," and strike out balance of lines 9 and 10.

Strike out lines 1, 2, 3 and 4 on page 2 and insert "From its commencement on route number twenty-eight extending through Oneida to the Herkimer county line, and also that part of route number twenty-five from Lake George to Chestertown, and on route number twenty-two north of Schroon Lake village, not heretofore constructed or for which money is already available, in such manner as to complete a system of stone road from New York city to Rouses Point."

and request that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Donnelly	Hammond	McElligott	Smith A E
Allen	Donovan	Hearn	McGrath	Smith T K
Baumes	Drummond	Herrick W R	McKeon	Spielberg
Beach	Ebbetts	Heyman	Merritt	Stivers
Blauvelt	Egan	Higgins	Miller	Sullivan
Boylan	Evans	Hinman	Monczynski	Sweet
Brace	Farrell	Hoey	Mork	Talmage
Brennan	Fay	Hoff	Murray	Terry
Brereton	Filley	Hollmann	Myers	Thorn
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Trombly
Brooks	Foley	Huber	Nolan	Turley
Brown	Friedman	Jackson	O'Connor	Walker
Bryant	Fry	Jameson	Oliver	Ward
Bush	Geatons	Jones	O'Neill J J	Waring
Butler	Gerhardt	Kennedy	O'Neil M A	Warren
Carew	Gerken	Keys	Pappert	Washburn
Caughlan	Gillen	Kopp	Parker A	Waters F A
Cheney	Goldberg	Lansing	Parker J S	Waters R B
Coffey	Goldstein	LaReau	Patrie	Weil
Collin	Goodman	Lent	Phillips C W	Wende
Colné	Goodwin	Levy A J	Pierce	Wheeler
Connell	Gould	Levy J	Saunders	White
Constantine	Graubard	Lincoln	Schifferdecker	Wilson
Cosad	Gray	Macdonald	Seeley	Winters
Cross	Gregg	MacGregor	Shannon	Yale
Cuvillier	Gurnett	Manley	Sheide	Yeomans
Dawson	Hackett	Martin	Shepardson	Young
Day	Haines	McCue	Shlivek	Zorn
DeLano	Hart	McDaniels	Shortt	Speaker

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Chanler of Dutchess, LaReau of Erie and J. S. Phillips of Allegany were excused on account of illness.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

Mr. Grady offered for the consideration of the joint assembly a resolution, in the words following:

Resolved, That the Attorney-General be, and he hereby is, respectfully requested to furnish at the earliest moment practicable to this joint assembly his opinion as to the intent and effect of the provision of the Act of Congress which requires that "the joint assembly shall meet at twelve o'clock, meridian, of each succeeding

day during the session of the Legislature, and take at least one vote until a Senator shall be elected."

And it is further requested that he advise this joint assembly whether in his opinion the provision of the statute requiring this joint assembly to "meet at twelve o'clock, meridian, of each succeeding day during the session of the Legislature," is intended to apply to all the time intervening between the first session of the joint Assembly until the final adjournment of the Legislature, or whether in his opinion it is intended to apply only to such days as those on which the Legislature may be in session.

And he is further requested to advise this joint assembly whether in his opinion such provision of the Federal statute, whatever may be its application, is in its nature essentially mandatory or can safely be regarded as merely directory.

Mr. President put the question whether the joint assembly would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Attorney-General.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Black	Gittins	Long	O'Brien	Stilwell	
Cullen	Grady	McClelland	Pollock	Sullivan C D	
Ferris	Griffin	McManus	Ramsperger	Sullivan T D	
Fiero	Harden	Murtaugh	Sanner	Wagner	
Frawley	Harte				22

FOR CHAUNCEY M. DEPEW.

Argetsinger	Cobb	Heacock	Platt	Thomas	
Brackett	Emerson	Hewitt	Rose	Travis	
Bussey	Griffith	Ormrod	Sage	Walters	
Coats	Hamilton				17

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR MARTIN W. LITTLETON.

Burd	1

FOR J. W. GERARD.

Duhamel	1

FOR CURTIS N. DOUGLAS.

White	1

FOR M. J. O'BRIEN.

Loomis	1

When the name of Mr. Allen was called it was announced that he was paired with Mr. Cronin.

When the name of Mr. Bayne was called it was announced that he was paired with Mr. Wainwright.

When the name of Mr. Hinman was called it was announced that he was excused.

The Speaker then directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gregg	McCue	Schifferdecker	
Boylan	Fitzpatrick	Gurnett	McElligott	Seeley	
Brennan	Foley	Hackett	McGrath	Sheide	
Bush	Frisbie	Hearn	McKeon	Smith A E	
Carew	Geatons	Herrick W R	Monczynski	Spielberg	
Caughlan	Gerhardt	Heyman	Mork	Turley	
Collin	Gerken	Hoey	Neupert	Walker	
Cuvillier	Gillen	Jackson	Oliver	Warren	
Dawson	Goldberg	Jameson	O'Neill J J	Washburn	
Donnelly	Goldstein	Levy A J	O'Neil M A	Weil	
Egan	Gould	Levy J	Parker A	Wende	
Farrell	Graubard	Manley	Patrie	Zorn	60

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hinman	Nolan	Talmage	
Allen	Cross	Hoff	Pappert	Thorn	
Baumes	DeLano	Jones	Parker J S	Ward	
Brereton	Ebbetts	Keys	Phillips C W	Waring	
Brooks	Filley	Kopp	Pierce	Waters F A	
Brown	Goodman	Lansing	Shannon	Waters R B	
Bryant	Goodwin	Lent	Shepardson	White	
Butler	Gray	Lincoln	Shlivek	Wilson	
Cheney	Haines	Macdonald	Smith T K	Winters	
Coffey	Hammond	MacGregor	Stivers	Yale	
Colné	Hart	Merritt	Sullivan	Yeomans	
Connell	Higgins	Murray	Sweet	Young	60

FOR EDWARD M. SHEPARD.

Beach	Drummond	Fry	Terry	Wheeler	
Cosad	Friedman	Huber			8

FOR ALTON B. PARKER.

McDaniels 1

FOR D-CADY HERRICK.

Brace 1

FOR MARTIN W. LITTLETON.

Hollmann Hoyt 2

FOR J. W. GERARD.

O'Connor 1

FOR MARTIN H. GLYNN.

Saunders	1

FOR JOHN D. KERNAN.

Bridenbecker	Day	Martin	Miller	Trombly	5

FOR JOHN A. DIX.

Kennedy	1

FOR M. J. O'BRIEN.

Shortt	1

FOR J. C. R. TAYLOR.

Evans	1

FOR S. VAN SANTVOORD.

Myers	1

Whole number of votes cast	188
Necessary to a choice	95

	Senators.	Assemblymen.	Total.
For William E. Sheehan	22	60	82
For Chauncey M. Depew	17	60	77
For Edward M. Shepard	2	8	10
For Alton B. Parker	0	1	1
For D-Cady Herrick	0	1	1
For Martin W. Littleton	1	2	3
For J. W. Gerard	1	1	2
For Martin H. Glynn	0	1	1
For John D. Kernan	0	5	5
For M. J. O'Brien	1	1	2
For John A. Dix	0	1	1
For Curtis N. Douglas	1	0	1
For J. C. R. Taylor	0	1	1
For S. Van Santvoord	0	1	1

A quorum of all the Senators and Members of Assembly being present and voting, and no person having received a majority of all the votes cast, the President of the Senate announced that no choice had been made for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Friday, January 27th, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, and that no person having received a majority of all the votes cast, no choice had been made, and that the joint assembly had adjourned to meet to-morrow at twelve o'clock noon in the Assembly Chamber.

The Senate returned the concurrent resolution extending the time for the submission of the report of the committee appointed to draft a new charter for New York city, with a message that they have concurred in the passage of the same without amendment.

The Senate returned the concurrent resolution authorizing the Clerks of the Senate and Assembly to purchase law and reference books, with a message that they have concurred in the passage of the same without amendment.

On motion of Mr. A. E. Smith, the House adjourned until Friday, January 27th, at 11:30 o'clock A. M.

FRIDAY, JANUARY 27, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Paul Birdsall.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Superintendent of Public Buildings, which was laid upon the table and ordered printed.

(See Assembly Document No. 22.)

Also, the annual report of the New York Interstate Bridge Commission, which was laid upon the table and ordered printed.

(See Assembly Document No. 18.)

Also, the communication of the Attorney-General, which was laid upon the table and ordered printed.

(See Joint Assembly Document No. 1.)

Mr. Blauvelt introduced a bill entitled "An act to amend the Village Law, in relation to borrowing money" (Int. No. 220),

which was read the first time and referred to the committee on affairs of villages.

Mr. Constantine introduced a bill entitled "An act to provide for deepening and widening Bergholtz creek and Cayuga creek in the town of Niagara, Niagara county, and making an appropriation therefor" (Int. No. 221), which was read the first time and referred to the committee on ways and means.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law in relation to collection of fines and penalties" (Int. No. 222), which was read the first time and referred to the committee on military affairs.

Mr. Donnelly introduced a bill entitled "An act to amend section two hundred and forty-two of the Greater New York charter, with respect to the powers of the board of estimate and apportionment" (Int. No. 223), which was read the first time and referred to the committee on affairs of cities.

Mr. Goodman introduced a bill entitled "An act to amend the Code of Civil Procedure in relation to examinations in proceedings supplemental to execution" (Int. No. 224), which was read the first time and referred to the committee on codes.

Mr. Heyman introduced a bill entitled "An act to amend the Greater New York charter, in relation to annual appropriations for the benevolent fund of the Williamsburg Volunteer Firemen's Association" (Int. No. 225), which was read the first time and referred to the committee on affairs of cities.

Mr. Stivers introduced a bill entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' generally" (Int. No. 226), which was read the first time and referred to the committee on affairs of cities.

Mr. R. B. Waters introduced a bill entitled "An act to amend chapter three hundred and eighty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the city of Cohoes to borrow money for the purpose of better equipping its fire department and to issue and sell its bonds for the money so borrowed, and to provide for raising money by taxation in said city for the redemption of said bonds and the payment of interest thereon,' to authorize the common council to amend its resolution fixing the

rate of interest on bonds to be issued thereunder, and ratifying and confirming the action of the city, its common council, officers and agents in respect to proceedings leading up to and including the passage of such resolution" (Int. No. 227), which was read the first time and referred to the committee on affairs of cities.

Mr. Jackson introduced a bill entitled "An act to amend the Railroad Law, relative to the better protection of the lives of railroad employees and the minimum number of employees to be employed in the operation of certain trains" (Int. No. 228), which was read the first time and referred to the committee on railroads.

Mr. Wende introduced a bill entitled "An act to amend chapter three hundred and sixty-nine of the Laws of eighteen hundred and ninety-five, entitled 'An act creating a commissioner of jurors for each county of the State, having a certain population, and regulating and prescribing his duties; also providing in what manner jury lists shall be made up and jurors drawn and notified in the courts of record in such counties, and how they may be exempted or excused, and the length of service of such jurors generally,' in relation to the deposit of names in the jury box and the qualifications of jurors" (Int. No. 229), which was read the first time and referred to the committee on general laws.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Hart (No. 160, Int. No. 159), entitled "An act to legalize, ratify and confirm the sale and issuance of bonds of the city of Johnstown in the aggregate amount of fifteen thousand dollars, and to provide for the payment of the principal and interest of the same."

Also, Assembly bill introduced by Mr. C. W. Phillips (No. 101, Int. No. 101), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the fire pension fund," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

The bill (No. 159, Int. No. 158) entitled "An act reappropriating a portion of the unexpended balance of the appropriation heretofore made to the office of the Secretary of State for carrying out the provisions of article eleven of the Highway Law, in relation to motor vehicles," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

Messrs. Chanler of Dutchess, LaReau of Erie, Lincoln of Chautauqua, Merritt of St. Lawrence and J. S. Phillips of Allegany were excused until Monday, January 30th.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

Mr. President presented the following communication:

(See Appendix No. 2½.)

which was read, and ordered printed as a document and laid upon the table.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Cullen	Ferris	Fiero	McManus	Wagner	5

FOR CHAUNCEY M. DEPEW.

Sage	1

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR MARTIN W. LITTLETON.

Burd	1

FOR J. W. GERARD.

Duhamel	1

FOR M. J. O'BRIEN.

Loomis	1

FOR SEYMOUR VAN SANTVOORD.

White	1

When the roll was called the following pairs were announced:

Mr. Argetsinger with Mr. Black; Mr. Bussey with Mr. O'Brien; Mr. Coats with Mr. Long; Mr. Cobb with Mr. Gittens; Mr. Emerson with Mr. Griffin; Mr. Griffith with Mr. Sullivan, T. D.; Mr. Hamilton with Mr. Sullivan, C. D.; Mr. Heacock

with Mr. Harden; Mr. Hewitt with Mr. Murtaugh; Mr. Ramsperger with Mr. Walters; Mr. Rose with Mr. Stilwell; Mr. Sanner with Mr. Thomas; Mr. Travis with Mr. Harte; Mr. McClelland with Assemblyman Hinman; Mr. Bayne with Mr. Wainwright; Mr. Frawley with Mr. Platt; Mr. Ormrod with Mr. Pollock; Mr. Brackett with Mr. Grady; Mr. Allen with Mr. Cronin.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bush	Fitzpatrick	Herrick J J	Oliver	Smith A E	
Donnelly	Foley	Jameson	O'Neil M A	Weil	
Egan	Hackett	Monczynski	Parker A	Frisbie	15

FOR EDWARD M. SHEPARD.

Beach	Friedman	Huber	Terry	Wheeler	
Drummond	Fry				7

FOR CHAUNCEY M. DEPEW.

Brooks	Filley	Hoff	Nolan	Waters F A	
Bryant	Hart	Lansing	Pappert	Waters R B	
Cheney					11

FOR ALTON B. PARKER.

McDaniels	1

FOR MARTIN W. LITTLETON.

Hollmann	Hoyt	2

FOR J. W. GERARD.

O'Connor	1

FOR MARTIN H. GLYNN.

Saunders	1

FOR JOHN D. KERNAN.

Brace	Cosad	Martin	Miller	Trombly	
Bridenbecker	Day				7

FOR M. J. O'BRIEN.

Shortt	1

FOR JOHN A. DIX.

Kennedy	1

FOR J. C. R. TAYLOR.

Evans	1

FOR SEYMOUR VAN SANTVOORD.

Myers	1

When the roll was called the following pairs were announced:

Mr. Warren with Mr. Brown; Mr. Blauvelt with Mr. Adler; Mr. Seeley with Mr. Shannon; Mr. Neupert with Mr. Sullivan; Mr. Wende with Mr. Gray; Mr. Goldberg with Mr. Schlivek; Mr. A. J. Levy with Mr. White; Mr. Caughlan with Mr. T. K. Smith; Mr. Gurnett with Mr. Yeomans; Mr. Goldstein with Mr. Goodwin; Mr. Mork with Mr. Goodman; Mr. Schifferdecker with Mr. Keys; Mr. Carew with Mr. Winters; Mr. Heyman with Mr. Lent; Mr. McKeon with Mr. Constantine; Mr. Walker with Mr. Ebbetts; Mr. Turley with Mr. Thorne; Mr. Jackson with Mr. DeLano; Mr. Hearn with Mr. Haines; Mr. Cuvillier with Mr. Allen; Mr. McElligott with Mr. C. W. Phillips; Mr. Fay with Mr. Stivers; Mr. Hoey with Mr. Murray; Mr. Butler with Mr. Zorn; Mr. Patrie with Mr. Pierce; Mr. Washburn with Mr. Young; Mr. Spielberg with Mr. Baumes; Mr. J. A. Parker with Mr. W. R. Herrick; Mr. J. J. Herrick with Mr. Brereton; Mr. Gould with Mr. Waring; Mr. Gillen with Mr. Cross; Mr. Geatons with Mr. Shepardson; Mr. Collin with Mr. Wilson; Mr. J. Levy with Mr. Ward; Mr. Boylan with Mr. Higgins; Mr. Gerhardt with Mr. McDonald; Mr. McGrath with Mr. Yale; Mr. Brennan with Mr. Hammond; Mr. Gerken with Mr. Colne; Mr. McCue with Mr. MacGregor; Mr. Manley with Mr. Sweet; Mr. Farrell with Mr. Connell; Mr. J. J. O'Neill with Mr. Coffey; Mr. Sheide with Mr. Talmadge; Mr. Gregg with Mr. Jones; Mr. Frisbie with Mr. Merritt; Mr. Graubard with Mr. Kopp; Mr. Dawson with Mr. Shea; Mr. Hinman with Senator McClelland; Mr. Donovan with Mr. Ahearn; Mr. A. Parker with Mr. Brooks; Mr. Pappert with Mr. Fitzgerald; Mr. Hackett with Mr. R. B. Waters; Mr. Egan with Mr. Filley; Mr. Weil with Mr. Hart.

Whole number of votes cast..... 61

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	5	15	20
For Chauncey M. Depew.....	1	11	12
For Edward M. Shepard.....	2	7	9
For Alton B. Parker.....	0	1	1
For Martin W. Littleton.....	1	2	3
For J. W. Gerard.....	1	1	2

	Senators.	Assemblymen.	Total.
For Martin H. Glynn.....	0	1	1
For John W. Kernan.....	0	7	7
For M. J. O'Brien.....	1	1	2
For John A. Dix.....	0	1	1
For J. C. R. Taylor.....	0	1	1
For S. Van Santvoord.....	1	1	2

A quorum of all the Senators and Members of Assembly not being present and voting, the President Pro Tem. of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. A. E. Smith, the joint assembly took a recess until Saturday, January 28th, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting, no choice had been made and that the joint assembly had adjourned to meet Saturday, January 28th, at twelve o'clock noon in the Assembly Chamber.

On motion of Mr. A. E. Smith, the House adjourned until Saturday, January 28th, at 11.30 o'clock A. M.

SATURDAY, JANUARY 28, 1911.

The House met pursuant to adjournment.

Mr. A. E. Smith in the chair.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Donnelly, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Fifty-ninth Annual Report of the New York Juvenile Asylum, which was laid upon the table and ordered printed.

(See Assembly Document No. 24.)

The bill (No. 101, Int. No. 101) entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the fire pension fund," was read the second time.

On motion of Mr. C. W. Phillips, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 160, Int. No. 159) entitled "An act to legalize, ratify and confirm the sale and issuance of the bonds of the city of Johnstown in the aggregate amount of fifteen thousand dollars, and to provide for the payment of the principal and interest of the same," was read the second time.

On motion of Mr. Hart, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Myers introduced a bill entitled "An act in relation to the water department, its finances, and local assessments for water supply purposes in the village of Scotia in the county of Schenectady" (Int. No. 230), which was read the first time and referred to the committee on affairs of villages.

Mr. Jackson introduced a bill entitled "An act in relation to the powers, duties and jurisdiction of the grade crossing commissioners of the city of Buffalo, amending and repealing certain sections of several acts relating thereto, and ratifying and confirming certain acts of such commissioners" (Int. No. 231), which was read the first time and referred to the committee on affairs of cities.

Mr. A. E. Smith introduced a bill entitled "An act making appropriations for certain immediate expenses of the Legislature, and providing for deficiencies in former appropriations therefor" (Int. No. 232), which was read the first time and referred to the committee on ways and means.

Mr. Jameson introduced a bill entitled "An act to amend chapter one hundred and twenty-five of the Laws of nineteen hundred and six, entitled 'An act in relation to illuminating gas in the city of New York, and regulating the quantity and pressure thereof and the price to consumers other than said city and providing a penalty for violation,' in relation to price to be charged in certain wards in the borough of Brooklyn" (Int. No. 233), which was read the

first time and referred to the committee on electricity, gas and water supply.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called arose in his place and nominated as follows:

FOR WM. F. SHEEHAN.

Ferris Fiero Wagner 3

FOR EDWARD M. SHEPARD.

Roosevelt 1

FOR MARTIN W. LITTLETON.

Burd 1

FOR M. J. O'BRIEN.

Loomis 1

FOR SEYMOUR VAN SANTVOORD.

White 1

When the roll was called the following pairs were announced:

Mr. Argetsinger with Mr. Black; Mr. Bussey with Mr. O'Brien; Mr. Coats with Mr. Long; Mr. Cobb with Mr. Gittens; Mr. Emerson with Mr. Griffin; Mr. Griffith with Mr. Sullivan, T. D.; Mr. Hamilton with Mr. Sullivan, C. D.; Mr. Heacock with Mr. Harden; Mr. Hewitt with Mr. Murtaugh; Mr. Ramsperger with Mr. Walters; Mr. Rose with Mr. Stilwell; Mr. Sanner with Mr. Thomas; Mr. Travis with Mr. Harte; Mr. McClelland with Assemblyman Hinman; Mr. Bayne with Mr. Wainwright; Mr. Frawley with Mr. Platt; Mr. Ormrod with Mr. Pollock; Mr. Brackett with Mr. Grady; Mr. Allen with Mr. Cronin; Mr. Sager with Mr. McManus.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bush Herrick J J Jameson Monczynski Smith A E
Donnelly 6

FOR CHAUNCEY M. DEPEW.

Bryant	Cheney	Lansing	Waters F A	4

FOR EDWARD F. SHEPARD.

Drummond	Fry	Terry	Wheeler	4

FOR ALTON B. PARKER.

McDaniels	1

FOR MARTIN W. LITTLETON.

Hollmann	Hoyt	2

FOR J. W. GERARD.

O'Connor	1

FOR MARTIN H. GLYNN.

Saunders	1

FOR JOHN D. KERNAN.

Brace	Bridenbecker	Cosad	Martin	4

FOR M. J. O'BRIEN.

Shortt	1

FOR SEYMOUR VAN SANTVOORD.

Myers	1

When the roll was called the following pairs were announced:

Mr. Warren with Mr. Brown; Mr. Blauvelt with Mr. Adler; Mr. Seeley with Mr. Shannon; Mr. Neupert with Mr. Sullivan; Mr. Wende with Mr. Gray; Mr. Goldberg with Mr. Schlivek; Mr. A. Levy with Mr. White; Mr. Caughlan with Mr. Smith, T. K.; Mr. Gurnett with Mr. Yeomans; Mr. Goldstein with Mr. Goodwin; Mr. Mork with Mr. Goodman; Mr. Schifferdecker with Mr. Keys; Mr. Carew with Mr. Winters; Mr. Heyman with Mr. Lent; Mr. McKeon with Mr. Constantine; Mr. Walker with Mr. Ebbets; Mr. Thorne with Mr. Turley; Mr. Jackson with Mr. DeLano; Mr. Hearn with Mr. Haines; Mr. Cuvillier with Mr. Allen; Mr. McElligott with Mr. Phillips, C. W.; Mr. Fay with Mr. Stivers; Mr. Hoey with Mr. Murray; Mr. Butler with Mr. Zorn; Mr. Patrie with Mr. Pierce; Mr. Washburn with Mr. Young; Mr. Spielberg with Mr. Baumes; Mr. Parker, J. S., with Mr. Herrick, W. R.; Mr. Herrick, J. J., with Mr. Brereton; Mr. Gould with Mr. Waring; Mr. Gillen with Mr. Cross; Mr. Geatons with Mr. Shepardson; Mr. Collins with Mr. Wilson; Mr. Levy, J., with Mr. Ward; Mr. Boylan with Mr. Higgins; Mr. Gerhardt with Mr. Macdonald; Mr. McGrath with Mr. Yale; Mr. Brennan

with Mr. Hammond; Mr. Gerken with Mr. Colne; Mr. McCue with Mr. MacGregor; Mr. O'Neil, M. A., with Mr. Hoff; Mr. Manley with Mr. Sweet; Mr. Farrell with Mr. Connell; Mr. O'Neill, J. J., with Mr. Coffey; Mr. Sheide with Mr. Talmadge; Mr. Gregg with Mr. Jones; Mr. Frisbie with Mr. Merritt; Mr. Graubard with Mr. Kopp; Mr. Dawson with Mr. Shea; Mr. Hinman with Senator McClelland; Mr. Donovan with Mr. Ahearn; Mr. Parker, A., with Mr. Brooks; Mr. Pappert with Mr. Fitzgerald; Mr. Hackett with Mr. Waters, R. B.; Mr. Egan with Mr. Filley; Mr. Weil with Mr. Hart.

Whole number of votes cast..... 32

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	3	6	9
For Chauncey M. Depew.....	.....	4	4
For Edward M. Shepard.....	1	4	5
For Alton B. Parker.....	.....	1	1
For Martin W. Littleton.....	1	2	3
For J. W. Gerard.....	.....	1	1
For Martin H. Glynn	.....	1	1
For John W. Kernan.....	.....	4	4
For M. J. O'Brien.....	1	1	2
For Seymour Van Santvoord.....	1	1	2

A quorum of all the Senators and Members of Assembly not being present and voting, the President Pro Tem. of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Ferris, the joint assembly took a recess until Monday, January 30th, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting, no choice had been made and that the joint assembly had adjourned to meet Monday, January 30th, at twelve o'clock noon in the Assembly Chamber.

On motion of Mr. Donnelly, the House adjourned until Monday, January 30th, at twelve o'clock noon.

MONDAY, JANUARY 30, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Seventh Annual Report of the State Education Department, which was laid upon the table and ordered printed.

(See Assembly Document No. 40.)

Also, the annual report of the State Engineer and Surveyor, which was laid upon the table and ordered printed.

(See Assembly Document No. 24.)

Mr. Cuvillier introduced a bill entitled "An act to amend the Greater New York charter by adding a new title thereto relative to the retirement fund of the city of New York" (Int. No. 234), which was read the first time and referred to the committee on affairs of cities.

Mr. Patrie introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to appeals to the Court of Appeals" (Int. No. 235), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to the effect of a dismissal of a complaint or counterclaim" (Int. No. 236), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to pleadings" (Int. No. 237), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to appeals to the Appellate Division of the Supreme Court" (Int. No. 238), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to motions for new trials upon the judge's minutes or for

judgment notwithstanding the verdict" (Int. No. 239), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to compelling the testimony of an adverse party upon the trial" (Int. No. 240), which was read the first time and referred to the committee on codes.

Mr. Thorn introduced a bill entitled "An act to ratify and confirm the proceedings of the village of Angola in the county of Erie in the matter of the sale and issuance of its bonds in the amount of fifty-five thousand dollars for the construction of a water works system in and for said village and to legalize said bonds and to provide for the payment of the interest and principal thereof" (Int. No. 241), which was read the first time and referred to the committee on affairs of villages.

Mr. Manley introduced a bill entitled "An act to provide for the expiration of the terms of office of the civil engineers appointed to act as an advisory board of consulting engineers, pursuant to the provisions of chapter one hundred and forty-seven of the Laws of nineteen hundred and three" (Int. No. 242), which was read the first time and referred to the committee on canals.

Mr. Gurnett introduced a bill entitled "An act to amend the Education Law, in relation to school commissioners, and repealing the provisions thereof in relation to the office, powers and duties of the district superintendent of schools, the election of school directors and the creation of supervisory districts" (Int. No. 243), which was read the first time and referred to the committee on public education.

Mr. Winters introduced a bill entitled "An act to amend the County Law, in relation to standing committees of boards of supervisors and organization of such boards in certain counties" (Int. No. 244), which was read the first time and referred to the committee on internal affairs.

Mr. A. Parker introduced a bill entitled "An act to amend the Public Health Law, in relation to vital statistics" (Int. No. 245), which was read the first time and referred to the committee on public health.

Also, "An act to amend the Decedent Estate Law, in relation to wills and the descent and distribution of property in the case of

intestacy" (Int. No. 246), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Domestic Relations Law, generally" (Int. No. 247), which was read the first time and referred to the committee on general laws.

Mr. Foley introduced a bill entitled "An act to revise the charter of the city of Watervliet" (Int. No. 248), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg introduced a bill entitled "An act to amend the Penal Law, in relation to trading stamps" (Int. No. 249), which was read the first time and referred to the committee on codes.

Mr. J. Levy introduced a bill entitled "An act to incorporate the American Jewish Committee" (Int. No. 250), which was read the first time.

On motion of Mr. J. Levy, and by unanimous consent, said bill was read the second time and ordered to third reading, and referred to the committee on charitable and religious societies.

Mr. Graubard introduced a bill entitled "An act to amend the Greater New York charter relating to the list of names of suspended employees" (Int. No. 251), which was read the first time and referred to the committee on affairs of cities.

Mr. Collin introduced a bill entitled "An act to amend the Highway Law, in relation to the State Commission of Highways" (Int. No. 252), which was read the first time and referred to the committee on internal affairs.

Mr. Brennan introduced a bill entitled "An act to amend the General Business Law, in relation to the traffic of pure grape juice" (Int. No. 253), which was read the first time and referred to the committee on general laws.

By unanimous consent, Mr. Walker introduced a bill entitled "An act to amend chapter fifteen of the Laws of nineteen hundred and nine, entitled 'An act in relation to the civil service of the State of New York and the civil divisions and cities thereof, constituting chapter seven of the Consolidated Laws,' as amended by chapter two hundred and sixty-four of the Laws of nineteen hundred and ten, in relation to the power of removal" (Int. No. 254), which was read the first time and referred to the committee on the judiciary.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Gittins	Harden	Pollock	Sullivan T D	
Cullen	Grady	McManus	Sullivan C D	Wagner	
Fiero	Griffin				12

FOR CHAUNCEY M. DEPEW.

Brackett	Griffith	Heacock	Sage	Wainwright	
Emerson	Hamilton	Newcomb			8

FOR EDWARD M. SHEPARD.

Roosevelt]	Saxe	2

FOR MARTIN W. LITTLETON.

Burd	1

FOR MARTIN H. GLYNN.

Duhamel	1

FOR M. J. O'BRIEN.

Loomis	1

FOR SEYMOUR VAN SANTVOORD.

White	1

When the roll was called the following pairs were announced: Mr. Argetsinger with Mr. Black; Mr. Bussey with Mr. O'Brien; Mr. Coats with Mr. Long; Mr. Hewitt with Mr. Murtaugh; Mr. Ramsperger with Mr. Walters; Mr. Rose with Mr. Stilwell; Mr. Sanner with Mr. Thomas; Mr. Travis with Mr. Harte; Mr. McClelland with Assemblyman Hinman; Mr. Frawley with Mr. Platt; Mr. Allen with Mr. Cronin.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Farrell	Graubard	Levy J	Patrie
Boylan	Fay	Gregg	Manley	Schifferdecker
Brennan	Fitzpatrick	Gurnett	McCue	Sheide

Bush	Foley	Hackett	McElligott	Smith A E	
Carew	Frisbie	Hearn	McGrath	Spielberg	
Caughlan	Geatons	Herrick J J	McKeon	Turley	
Collin	Gerhardt	Herrick W R	Monczynski	Walker	
Cuvillier	Gerken	Heyman	Oliver	Warren	
Dawson	Gillen	Hoey	O'Neill J J	Weil	
Donnelly	Goldberg	Jackson	O'Neil M A	Wende	
Egan	Goldstein	Jameson	Parker A	Zorn	55

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hoff	Pappert	Talmage	
Ahern	Cross	Jones	Parker J S	Thorn	
Allen	DeLano	Keys	Phillips C W	Ward	
Brereton	Ebbetts	Kopp	Pierce	Waters F A	
Brooks	Filley	Lansing	Shepardson	Waters R B	
Bryant	Goodwin	Lent	Shlivek	White	
Butler	Gray	Macdonald	Smith T K	Wilson	
Cheney	Haines	MacGregor	Stivers	Winters	
Coffey	Hammond	Merritt	Sullivan	Yale	
Colné	Hart	Murray	Sweet	Yeomans	
Connell	Higgins	Nolan			53

FOR EDWARD M. SHEPARD.

Beach	Drummond	Fry	Terry	Wheeler	
Chanler	Friedman	Huber			8

FOR ALTON B. PARKER.

McDaniels	1

FOR MARTIN W. LITTLETON.

Hollman	Hoyt	2

FOR MARTIN H. GLYNN.

O'Connor	Saunders	2

FOR JOHN D. KERNAN.

Brace	Cosad	Martin	Miller	Trombly	
Bridenbecker	Day				7

FOR M. J. O'BRIEN.

Shortt	1

FOR SEYMOUR VAN SANTVOORD.

Myers	1

FOR WILLIAM SULZER.

Kennedy	1

FOR J. C. R. TAYLOR.

Evans	1

When the roll was called the following pairs were announced:

Mr. Goodman with Mr. Mork; Mr. Shannon with Mr. Seeley; Mr. Washburn with Mr. Young; Mr. Neupert with Mr. Brown; Mr. Levy, A. J., with Mr. Waring; Mr. Haines with Mr. Gould.

Messrs. LaReau of Erie, J. S. Phillips of Allegany and Lincoln of Chautauqua were excused..

Whole number of votes cast	158
Necessary to a choice	80

	Senators.	Assemblymen.	Total.
For William F. Sheehan	12	55	67
For Chauncey M. Depew	8	53	61
For Edward M. Shepard	2	8	10
For Alton B. Parker	0	1	1
For Martin W. Littleton	1	2	3
For Martin H. Glynn	1	2	3
For John D. Kernan	0	7	7
For M. J. O'Brien	1	1	2
For William Sulzer	0	1	1
For J. C. R. Taylor	0	1	1
For Seymour Van Santvoord	1	1	2

A quorum of all the Senators and Members of Assembly being present and voting, and no person having received a majority of all the votes cast, the President of the Senate announced that no choice had been made for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Tuesday, January 31st, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, and that no person having received a majority of all the votes cast, no choice had been made, and that the joint assembly had adjourned to meet to-morrow at twelve o'clock noon in the Assembly Chamber.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. A. E. Smith (No. 159, Int. No. 158), entitled "An act reappropriating a portion of the unexpended balance of the appropriation heretofore made to the office of the Secretary of State for carrying out the provisions of article eleven of the Highway Law, in relation to motor vehicles," reported the same without recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Boylan offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed one thousand additional copies of Assembly bill, Int. No. 120, printed No. 121.

which was referred to the committee on public printing.

Mr. Cuvillier offered for the consideration of the House a resolution in the words following:

Whereas, The judiciary committee of the United States Senate has reported to the Senate the following resolution to amend section three of article one of the Constitution of the United States

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

"The times, places, and manner of holding elections for Senators shall be as prescribed in each State by the Legislature thereof.

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the Legislature of any State shall issue writs of election to fill such vacancies: Provided, That the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election, as the Legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution,"

And whereas, The Democratic Convention of the State of New York, assembled in Rochester in nineteen hundred and ten, adopted in its platform a demand that the United States Senators be elected by the vote of the people,

Resolved (if the Senate concur), That it is the sense of the Legislature of the State of New York and it hereby approves of the resolution reported out of the Senate judiciary committee of the United States Senate for the amendment of section three of article one of the Constitution of the United States for the election of United States Senators by the direct vote of the people; and be it further,

Resolved, That the Legislature respectfully requests the Representatives in Congress from the State of New York to support the adoption of the resolution reported by the Senate judiciary committee of the United States Senate to amend section three of article one of the Constitution of the United States for the elec-

tion of the United States Senators by the direct vote of the people; and be it further

Resolved, That a copy of this resolution be sent to the President of the Senate and Speaker of the House of Representatives.

Which was referred to the committee on the judiciary.

Mr. McCue offered for the consideration of the House a resolution, in the words following:

Whereas, On the nineteenth day of December, 1910, an explosion of gas, dynamite, nitro-glycerine or other dangerous explosives, occurred in the yards of the New York Central and Hudson River Railroad Company, at the corner of Fiftieth street and Lexington avenue, in the borough of Manhattan, in the city of New York; and,

Whereas, The said explosion caused the loss of the lives of a large number of people and serious physical injury to a large number of others, and did enormous damage to property in the neighborhood; and,

Whereas, The said explosion was caused by the criminal carelessness or neglect of some official or officials connected with the New York Central and Hudson River Railroad Company; and

Whereas, It appears that no action has as yet been instituted to punish the guilty person or persons; therefore, be it

Resolved (if the Senate concur), That the district attorney of the county of New York be requested to transmit to the Legislature a full and detailed account of what action or actions to punish the person or persons responsible for the said disaster has been taken by him.

Said resolution giving rise to debate, ordered, that the same be laid upon the table.

Mr. O'Connor offered for the consideration of the House a resolution, in the words following:

Whereas, Under the operation of the present Insurance Law the life insurance companies doing business on what is known as the industrial or weekly payment plan are so favored as to be practically exempt; and

Whereas, These companies charge their policyholders who are almost exclusively the people of very moderate means nearly double the premiums charged by the regular life insurance companies; and

Whereas, Certain remedial legislation which was introduced in the Senate and Assembly was opposed by the Superintendent of Insurance on the ground that the department desired to make an investigation; and

Whereas, The fact that these companies are permitted to make such outrageous discrimination has grown to be a public scandal; and

Whereas, Certain legislation has been introduced in the Senate and Assembly the purpose of which is to remedy this condition; now, therefore, be it

Resolved (if the Senate concur), That the Superintendent of Insurance whose duty it is to protect the interests of all life insurance policyholders in the State explain why such a condition of affairs is permitted; and, be it further

Resolved (if the Senate concur), That a joint committee of the Senate and Assembly be appointed for the purpose of making a thorough investigation of the business of industrial insurance in this State, and that a suitable appropriation be made to defray the expenses of said joint committee.

Which was referred to the committee on ways and means.

By unanimous consent, Mr. Ahearn called up his resolution in relation to the construction of battleships at the Brooklyn Navy Yard introduced January 23d.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

On motion of Mr. A. E. Smith, the House adjourned until Tuesday, January 31st, at eleven o'clock A. M.

TUESDAY, JANUARY 31, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Ernest P. Neville.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Twenty-sixth Annual Report of the State Custodial Asylum at Newark, which was laid upon the table and ordered printed.

(See Assembly Document No. 28.)

Also, the Twenty-second Annual Report of the State Commission in Lunacy, which was laid upon the table and ordered printed.

(See Assembly Document No. 27.)

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	DeLano	Herrick J J	McKeon	Smith T K
Ahern	Donnelly	Herrick W R	Merritt	Spielberg
Allen	Donovan	Heyman	Miller	Stivers
Baumes	Drummond	Higgins	Moncsynski	Sullivan
Beach	Ebbetts	Hinman	Mork	Sweet
Blauvelt	Egan	Hoey	Murray	Talmage
Boylan	Evans	Hoff	Myers	Terry
Brace	Farrell	Hollmann	Neupert	Thorn
Brennan	Fay	Hoyt	Nolan	Trombly
Brereton	Filley	Huber	O'Connor	Turley
Bridenbecker	Foley	Jackson	Oliver	Walker
Brooks	Friedman	Jameson	O'Neill J J	Ward
Bryant	Fry	Jones	O'Neil M A	Waring
Bush	Geatons	Kennedy	Pappert	Warren
Butler	Gerken	Keys	Parker A	Washburn
Carew	Gillen	Kopp	Patrie	Waters F A
Caughlan	Goldberg	Lansing	Phillips C W	Waters R B
Chanler	Goldstein	Lent	Pierce	Weil
Cheney	Goodwin	Levy A J	Saunders	Wende
Coffey	Gould	Levy J	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Connell	Gregg	Manley	Shea	Winters
Constantine	Gurnett	Martin	Sheide	Yale
Cosad	Hackett	McCue	Shepardson	Yeomans
Cross	Haines	McDaniels	Shlivek	Young
Cuvillier	Hart	McElligott	Shortt	Zorn
Dawson	Hammond	McGrath	Smith A E	Speaker
Day	Hearn			

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cheney introduced a bill entitled "An act to provide for the rebuilding, alteration and improvement of the State armory in the city of Olean, the disposition of the old armory building, and making an appropriation therefor" (Int. No. 255), which was read the first time and referred to the committee on ways and means.

Mr. Foley introduced a bill entitled "An act to amend the Personal Property Law, in relation to the application of funds collected for charitable or benevolent purposes" (Int. No. 256), which was read the first time and referred to the committee on general laws.

Mr. Goldberg introduced a bill entitled "An act to amend the Insanity Law, in relation to records of commitments of insane persons" (Int. No. 257), which was read the first time and referred to the committee on general laws.

Also, "An act to require the interchange of transfers by all surface railroads crossing all bridges connecting with the boroughs of Manhattan and Bronx" (Int. No. 258), which was read the first time and referred to the committee on railroads.

Also, "An act to require the giving of transfers by the surface railroads in the boroughs of Manhattan and Bronx, city of New York" (Int. No. 259), which was read the first time and referred to the committee an railroads.

Mr. Jackson introduced a bill entitled "An act to amend the Labor Law, in relation to hours of labor of minors and women" (Int. No. 260), which was read the first time and referred to the committee on labor and industries.

Mr. McCue introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to dispensing with the giving of a bond in order to obtain a liquor tax certificate" (Int. No. 261), which was read the first time and referred to the committee on excise.

Mr. Goldberg introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to admission to bail" (Int. No. 262), which was read the first time and referred to the committee on codes.

Mr. Monczynski introduced a bill entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo' in relation to the department of fire" (Int. No. 263), which was read the first time and referred to the committee on affairs of cities.

Mr. J. J. O'Neill introduced a bill entitled "An act to amend the Tax Law, in relation to receipts, by collectors and receivers of

taxes" (Int. No. 264), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. A. E. Smith introduced a bill entitled "An act to reappropriate certain unexpended balances for the State Commission in Lunacy" (Int. No. 265), which was read the first time and referred to the committee on ways and means.

Mr. Warren introduced a bill entitled "An act to amend the Personal Property Law in relation to sales of goods" (Int. No. 266), which was read the first time and referred to the committee on general laws.

Mr. R. B. Waters introduced a bill entitled "An act to amend chapter three hundred and ninety-two of the Laws of nineteen hundred and two, entitled 'An act to authorize the common council of the city of Cohoes to borrow money by the issuing of bonds for the improvement of the quality and quantity of the present water supply, and the procuring of an additional supply of pure and wholesome water for said city,' to authorize the common council to amend its resolution fixing the rate of interest on bonds to be issued thereunder, and ratifying and confirming the action of the city, its common council, board of water commissioners, officers and agents in respect to proceedings leading up to and including the passage of such resolution" (Int. No. 267), which was read the first time and referred to the committee on affairs of cities.

Mr. Gould introduced a bill entitled "An act to amend the Tax Law, in relation to the exemption from taxation of all property of a municipal corporation used and maintained for a municipal water supply" (Int. No. 268), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Manley introduced a bill entitled "An act to amend the Insanity Law, relative to wages of certain employees of State hospitals" (Int. No. 269), which was read the first time and referred to the committee on ways and means.

Mr. Baumes introduced a bill entitled "An act to repeal sections three hundred and ten and three hundred and eleven of the Public Health Law, in relation to vaccination of school children" (Int. No. 270), which was read the first time and referred to the committee on public health.

Also, "An act to amend the Forest, Fish and Game Law, in

relation to the use of nets in certain waters" (Int. No. 271), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Waring introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to hares and rabbits" (Int. No. 272), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Bush introduced a bill entitled "An act providing for the installing of an elevator in the State armory in Elmira for the use of the several Posts of the Grand Army of the Republic occupying the third story of said armory, pursuant to chapter two hundred and eighty-three, Laws of eighteen hundred and eighty-seven, and making an appropriation therefor" (Int. No. 273), which was read the first time and referred to the committee on ways and means.

Mr. Martin introduced a bill entitled "An act to provide for the construction of a bridge over the Mohawk river at Vischer's Ferry, and the approaches thereto, in the town of Clifton Park in the county of Saratoga and making an appropriation therefor" (Int. No. 274), which was read the first time and referred to the committee on ways and means.

Mr. Sweet introduced a bill entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and nine, entitled 'An act to make the office of the sheriff of the county of Oswego a salaried office and to regulate the management thereof,' generally" (Int. No. 275), which was read the first time and referred to the committee on internal affairs.

Mr. Wende introduced a bill entitled "An act to amend the Public Health Law, in relation to repapering and recalcimining walls and ceilings" (Int. No. 276), which was read the first time and referred to the committee on public health.

Mr. Miller introduced a bill entitled "An act to amend the Agricultural Law, in relation to cider vinegar" (Int. No. 277), which was read the first time and referred to the committee on agriculture.

Mr. C. W. Phillips introduced a bill entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the

city of Rochester,' in relation to salaries" (Int. No. 278), which was read the first time and referred to the committee on affairs of cities.

Mr. Brereton introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to pike-perch and angling through the ice in Lake George" (Int. No. 279), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Spielberg introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to stays of execution on appeals in criminal cases" (Int. No. 280), which was read the first time and referred to the committee on codes.

Mr. White introduced a bill entitled "An act to ratify, confirm and legalize the proceedings of the town of Irondequoit in the county of Monroe, had and taken in the matter of the establishment of a water district in said town; the sale, award and issuance of the bonds of said town to pay for the cost of constructing a water system in said water district; and to provide for the payment of said bonds" (Int. No. 281), which was read the first time and referred to the committee on internal affairs.

Mr. Wilson introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to clerks' fees for issuing hunting licenses" (Int. No. 282), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Hoey introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to notice required to be given to persons charged with violation thereof" (Int. No. 283), which was read the first time and referred to the committee on excise.

Mr. Lincoln of Chautauqua was excused for the day.

Mr. J. S. Phillips of Allegany was excused indefinitely on account of illness.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Fiero	Harden	McManus	Sanner
Black	Frawley	Harte	Murtaugh	Stilwell
Cronin	Gittins	Long	Pollock	Sullivan C D
Cullen	Griffin	McClelland	Ramsperger	Wagner
Ferris				21

FOR CHAUNCEY M. DEPEW.

Allen	Emerson	Hewitt	Rose	Travis
Argetsinger	Hamilton	Ormrod	Sage	Wainwright
Coats	Heacock	Platt	Thomas	Walters
Cobb				16

FOR EDWARD M. SHEPARD.

Roosevelt Saxe 2

FOR MARTIN W. LITTLETON.

Burd 1

FOR MARTIN H. GLYNN.

Duhamel 1

FOR JOHN D. KERNAN.

White

FOR M. J. O'BRIEN.

Loomis 1

When the roll was called the following pairs were announced:

Mr. Bussey with Mr. O'Brien; Mr. Griffith with Mr. T. D. Sullivan; Mr. Brackett with Mr. Grady.

The Speaker then directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gurnett	McCue	Schifferdecker
Boylan	Fitzpatrick	Hackett	McElligott	Seeley
Brennan	Foley	Hearn	McGrath	Sheide
Bush	Frisbie	Herrick J J	McKeon	Smith A E
Carew	Geatons	Herrick W R	Monczynski	Spielberg
Caughlan	Gerken	Heyman	Mork	Turley
Collin	Gillen	Hoey	Neupert	Walker
Cuvillier	Goldberg	Jackson	Oliver	Warren
Dawson	Goldstein	Jameson	O'Neill J J	Washburn
Donnelly	Gould	Levy A J	O'Neil M A	Weil
Donovan	Graubard	Levy J	Parker A	Wende
Egan	Gregg	Manley	Patrie	Zorn
Farrell				61

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hoff	Phillips C W	Thorn
Ahern	Cross	Jones	Pierce	Ward
Allen	DeLano	Keys	Shannon	Waring
Baumes	Ebbetts	Kopp	Shea	Waters F A

Brereton	Filley	Lansing	Shepardson	Waters R B	
Brooks	Goodwin	Lent	Shlivek	White	
Bryant	Gray	Macdonald	Smith T K	Wilson	
Butler	Haines	MacGregor	Stivers	Winters	
Cheney	Hammond	Merritt	Sullivan	Yale	
Coffey	Hart	Murray	Sweet	Yeomans	
Colné	Higgins	Nolan	Talmage	Young	
Connell	Hinman	Pappert			58

FOR EDWARD M. SHEPARD.

Beach	Drummond	Fry	Terry	Wheeler	
Chanler	Friedman	Huber			8

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN W. LITTLETON.

Hollmann Hoyt 2

FOR MARTIN H. GLYNN.

O'Conner Saunders 2

FOR JOHN D. KERNAN.

Brace	Cosad	Martin	Trombly	Myers	
Bridenbecker	Day	Miller			8

FOR M. J. O'BRIEN.

Shortt 1

FOR WM. SULZER.

Kennedy 1

FOR J. C. R. TAYLOR.

Evans 1

When the roll was called the following pairs were announced: Mr. LaReau with Mr. Goldman; Mr. Gerhardt with Mr. J. S. Parker.

Whole number of votes cast..... 186

Necessary to a choice..... 94

	Senators.	Assemblymen.	Total.
For Mr. Sheehan.....	21	61	82
For Mr. Depew.....	16	58	74
For Mr. Shepard.....	2	8	10
For Mr. Parker.....	0	1	1
For Mr. Littleton.....	1	2	3
For Mr. Glynn.....	1	2	3
For Mr. Kernan.....	1	8	9
For Mr. O'Brien.....	1	1	2
For Mr. Sulzer.....	0	1	1
For Mr. Taylor.....	0	1	1

A quorum of all the Senators and Members of Assembly being present and voting, and no person having received a majority of all the votes cast, the President of the Senate announced that no choice had been made for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner the joint assembly took a recess until Wednesday, February 1st, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, and that no person having received a majority of all the votes cast, no choice had been made, and that the joint assembly had adjourned to meet to-morrow at twelve o'clock noon in the Assembly Chamber.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Hart (No. 160, Int. No. 159), entitled "An act to legalize, ratify and confirm the sale and issuance of the bonds of the city of Johnstown in the aggregate amount of fifteen thousand dollars, and to provide for the payment of the principal and interest of the same."

Also, the bill introduced by Mr. C. W. Phillips (No. 101, Int. No. 101), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the fire pension fund," reported the same without recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bill as correctly printed or engrossed:

"An act reappropriating a portion of the unexpended balance of the appropriation heretofore made to the office of the Secretary of State for carrying out the provisions of article eleven of the Highway Law, in relation to motor vehicles." (No. 159, Int. No. 158.)

Mr. Speaker presented the notice of contest of Sol H. Eisler against Harry Kopp declared elected by the county board of canvassers a member of Assembly from the Sixth Assembly District

of the county of New York, which was referred to the committee on privileges and elections.

The Senate returned the concurrent resolution introduced by Mr. Ahern in relation to the construction of battleships at the Brooklyn Navy Yard, with a message that they have concurred in the passage of the same without amendment.

The privileges of the floor were extended to Hon. Chas. A. Dana, Hon. R. S. Johnson and Hon. A. S. Callan, former members.

On motion of Mr. A. E. Smith, the House adjourned.

WEDNESDAY, FEBRUARY 1, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. Henry Stelljes.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act authorizing the extension of the term of corporate existence of the Masonic Building Association, and authorizing the trustees and stockholders of the said Masonic Building Association to execute and file and have recorded a certificate or certificates of extension of the time of the corporate existence thereof, and legalizing certain of the acts, transactions and proceedings of said Masonic Building Association, its officers, trustees and stockholders" (No. 61, Rec. No. 1), which was read the first time and referred to the committee on the judiciary.

"An act reappropriating a portion of the unexpended balance of the appropriation heretofore made in the office of the Secretary of State for carrying out the provisions of article eleven of the Highway Law, in relation to motor vehicles" (No. 120, Rec. No. 2), which was read the first time.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the third time, having been printed and on the desks

of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 143
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	McKeon	Smith A E
Ahern	Donnelly	Herrick J J	Merritt	Smith T K
Allen	Donovan	Herrick W R	Miller	Spielberg
Baumes	Drummond	Heyman	Monczynski	Stivers
Beach	Ebbetts	Higgins	Mork	Sullivan
Blauvelt	Egan	Hinman	Murray	Sweet
Boylan	Evans	Hoey	Myers	Talmage
Brace	Farrell	Hoff	Neupert	Terry
Brennan	Fay	Hollmann	Nolan	Thorn
Brereton	Filley	Hoyt	O'Connor	Trombly
Bridenbecker	Fitzpatrick	Huber	Oliver	Turley
Brooks	Foley	Jackson	O'Neill J J	Walker
Bryant	Friedman	Jameson	O'Neil M A	Ward
Bush	Fry	Jones	Pappert	Waring
Butler	Geatons	Kennedy	Parker A	Warren
Carew	Gerken	Keys	Parker J S	Washburn
Caughlan	Gillen	Kopp	Patrie	Waters F A
Chanler	Goldberg	Lansing	Phillips C W	Waters R B
Cheney	Goldstein	Lent	Pierce	Weil
Coffey	Goodwin	Levy J	Saunders	Wende
Collin	Gould	Lincoln	Schifferdecker	Wheeler
Colné	Graubard	Macdonald	Seeley	White
Connell	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Gurnett	Martin	Sheide	Yale
Cross	Hackett	McCue	Shepardson	Yeomans
Cuvillier	Haines	McDaniels	Shlivek	Young
Dawson	Hart	McElligott	Shortt	Zorn
Day	Hammond	McGrath		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Egan introduced a bill entitled "An act authorizing the board of estimate and apportionment of the city of New York, in its discretion, to direct that the cost and expense of opening, extending and widening of Sedgwick avenue in the borough of the Bronx in the city of New York, and the cost and expense of acquiring the title to lands and premises in connection therewith, be paid entirely or in part by the city of New York" (Int. No. 284), which was read the first time and referred to the committee on affairs of cities.

Mr. J. J. Herrick introduced a bill entitled "An act to amend the Greater New York charter, in relation to the salary of the sweepers of the department of street cleaning" (Int. No. 285), which was read the first time and referred to the committee on affairs of cities.

Mr. Hoey introduced a bill entitled "An act to establish a commission to inquire into the extent and nature of the practice in this State of experimentation on living animals, together with the condition of the laws of the State relative to the proper protection of scientific experiments without danger of unnecessary cruelty" (Int. No. 286), which was read the first time and referred to the committee on public health.

Mr. Jameson introduced a bill entitled "An act to provide for a boulevard or parkway in the borough of Brooklyn, county of Kings, city of New York" (Int. No. 287), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Penal Law, in relation to the playing of music on Memorial Sunday by duly incorporated bodies of veteran soldiers and sailors while parading" (Int. No. 288), which was read the first time and referred to the committee on codes.

Mr. Mork introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to authority to set aside judgments for error in fact" (Int. No. 289), which was read the first time and referred to the committee on codes.

Mr. Turley introduced a bill entitled "An act to amend the Public Health Law, in relation to statements in prescriptions by physicians" (Int No. 290), which was read the first time and referred to the committee on public health.

Mr. Ward introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article one of the Constitution, in relation to condemnation proceedings" (Int No. 291), which was read the first time and referred to the committee on the judiciary.

Mr. Wilson introduced a bill entitled "An act to amend the Domestic Relations Law, in relation to copies of papers to be filed by town and city clerks with county clerks" (Int. No. 292), which

was read the first time and referred to the committee on general laws.

Mr. Gould introduced a bill entitled "An act to amend the Agricultural Law, in relation to the establishment of an agricultural experiment station in Niagara county" (Int. No. 293), which was read the first time and referred to the committee on ways and means.

Mr. Cuvillier introduced a bill entitled "An act to amend the Greater New York charter, in regard to the election of a vice-mayor" (Int. No. 294), which was read the first time and referred to the committee on affairs of cities.

Mr. Manley introduced a bill entitled "An act to amend the Insanity Law, relative to the retirement of employees of State hospitals for the insane" (Int. No. 295), which was read the first time and referred to the committee on ways and means.

Mr. Hammond introduced a bill entitled "An act to amend chapter six hundred and eighty-three of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the police pension fund and firemens' pension fund of the city of Syracuse'" (Int. No. 296), which was read the first time and referred to the committee on affairs of cities.

Mr. Coffey introduced a bill entitled "An act to incorporate 'The Pelham Firemen's Association of the town of Pelham, New York'" (Int. No. 297), which was read the first time and referred to the committee on the judiciary.

Mr. Bush introduced a bill entitled "An act to amend the Poor Law, in relation to the burial of soldiers, sailors or marines and to marking their graves with headstones" (Int. No. 298), which was read the first time and referred to the committee on general laws.

Mr. Day introduced a bill entitled "An act to legalize and validate certain bonds for the construction and repair of bridges of the town of Ellisburg in the county of Jefferson, in the proceedings heretofore taken for the issuance and sale thereof by the town board and legal voters of said town and the board of supervisors of Jefferson county and for the levy of a tax for the payment of the principal and interest thereof" (Int. No. 299), which was read the first time and referred to the committee on internal affairs.

Mr. MacGregor introduced a bill entitled "An act to amend the Tax Law in relation to organization tax" (Int No. 300), which was read the first time and referred to the committee on general laws.

Mr. Chanler introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to open season for fishing on Lake Keuka" (Int. No. 302), which was read the first time and referred to the committee on forestry, fisheries and game.

Also, "An act to amend the Forest, Fish and Game Law, in relation to fishing on Lake Keuka" (Int. No. 303), which was read the first time and referred to the committee on forestry, fisheries and game.

Also, "An act to amend the Forest, Fish and Game Law, in relation to fishing on Lake Keuka" (Int. No. 304), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Miller introduced a bill entitled "An act to authorize the Maple Grove Cemetery Association of Worcester, Otsego county, New York, to accept a gift or bequest for the purpose of caring for a certain cemetery lot situate without the boundaries of the cemetery of such association" (Int. No. 305), which was read the first time and referred to the committee on internal affairs.

Mr. Schifferdecker introduced a bill entitled "An act to amend the Penal Law, in relation to carrying and use of dangerous weapons" (Int. No. 306), which was read the first time and referred to the committee on general laws.

Mr. J. J. O'Neill introduced a bill entitled "An act to amend the Civil Service Law, in relation to examinations, in both State and city classified service" (Int. No. 307), which was read the first time and referred to the committee on general laws.

Mr. Hoff introduced a bill entitled "An act to amend the Education Law, in relation to the licensing of civil engineers" (Int. No. 308), which was read the first time and referred to the committee on general laws.

Mr. Mork introduced a bill entitled "An act to regulate street railway fares in all cities" (Int. No. 309), which was read the first time and referred to the committee on railroads.

Also, "An act to amend the Railroad Law, in relation to the

rate of fare on railroads operated by steam in cities of over one million inhabitants" (Int. No. 310), which was read the first time and referred to the committee on railroads.

Mr. Donovan introduced a bill entitled "An act to amend the Penal Law, in relation to the crime of extortion" (Int. No. 311), which was read the first time and referred to the committee on codes.

Mr. O'Connor introduced a bill entitled "An act to provide for old age pensions" (Int. No. 312), which was read the first time and referred to the committee on ways and means.

Mr. Goodwin introduced a bill entitled "An act to confirm the acts of commissioners appointed to lay out and assess damages upon the opening of a public highway in the town of New Castle, in Westchester county; to legalize and confirm the acts and proceedings of David L. Barnum and Frank T. Bailey, as commissioners of highways of said town; to authorize the town board of auditors of said town to audit the contracts in relation to the building of said highway; and to authorize the said town to pay for the construction of said highway, and to raise money therefor" (Int. No. 313), which was read the first time.

On motion of Mr. Goodwin, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on internal affairs.

Mr. Hollmann introduced a bill entitled "An act to provide for dredging Powell creek in the county of Nassau, for widening and deepening the channel thereof, and making an appropriation therefor" (Int. No. 314), which was read the first time and referred to the committee on ways and means.

Also, "An act to repeal certain sections of the Education Law, relating to the division of union free school districts" (Int. No. 315), which was read the first time and referred to the committee on public education.

Mr. McElligott introduced a bill entitled "An act to amend the Public Health Law, in relation to qualifications for the practice of veterinary medicine and surgery" (Int. No. 316), which was read the first time and referred to the committee on public health.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Washburn (No. 36,

Int. No. 36), entitled "An act to authorize the city of Kingston to borrow money for the acquisition of a site and the construction of a building for city purposes."

Also, Assembly bill introduced by Mr. MacGregor (No. 15, Int. No. 15), entitled "An act authorizing the common council and mayor of the city of Buffalo to convey by quitclaim deeds to abutting owners a strip of land lying between the present lines of Woodlawn avenue and private property adjacent thereto."

Also, Assembly bill introduced by Mr. Washburn (No. 35, Int. No. 35), entitled "An act to authorize the city of Kingston to borrow money for street improvements and issue bonds therefor."

Also, Assembly bill introduced by Mr. Coffey (No. 6, Int. No. 6), entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the annual budget of the board of education."

Also, Assembly bill introduced by Mr. Coffey (No. 4, Int. No. 4), entitled "An act to amend chapter one hundred and seventy-six of the Laws of nineteen hundred and five, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon, and authorizing such city to raise money therefor by the issue of bonds,'" reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Coffey (No. 76, Int. No. 5), entitled "An act relating to the repaving of West Lincoln avenue and West First street, as widened, from Eleventh avenue to the New York city line, in the city of Mount Vernon," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered placed on the order of second reading.

Mr. Martin, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. Winters (No. 134, Int. No. 133), entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in rela-

tion to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally."

Also, Assembly bill introduced by Mr. Evans (No. 32, Int. No. 32), entitled "An act to amend the Village Law, in relation to election on proposition to incorporate," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to legalize, ratify and confirm the sale and issuance of the bonds of the city of Johnstown in the aggregate amount of fifteen thousand dollars, and to provide for the payment of the principal and interest of the same." (No. 160, Int. No. 159.)

"An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the fire pension fund." (No. 101, Int. No. 101.)

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Frawley	Harte	Murtaugh	Sanner	
Black	Gittins	Long	O'Brien	Sullivan C D	
Cullen	Grady	McClelland	Pollock	Sullivan T D	
Ferris	Griffin	McManus	Ramsperger	Wagner	
Fiero	Harden				22

FOR CHAUNCEY M. DEPEW.

Allen	Coats	Hamilton	Ormrod	Sage	
Argetsinger	Cobb	Heacock	Platt	Thomas	
Brackett	Emerson	Hewitt	Rose	Walters	
Bussey	Griffith				17

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR MARTIN W. LITTLETON.

Burd					1

FOR MARTIN H. GLYNN.

Duhamel					1

FOR M. J. O'BRIEN.

Loomis					1

FOR JOHN D. KERNAN.

White					1

When the roll was called the following pairs were announced: Mr. Cronin with Mr. Travis; Mr. Stilwell with Mr. Wainwright. Mr. Hinman was excused.

The Speaker then directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Farrell	Gregg	McCue	Schifferdecker	
Boylan	Fay	Gurnett	McElligott	Seeley	
Brennan	Fitzpatrick	Hackett	McGrath	Sheide	
Bush	Foley	Hearn	McKeon	Smith A E	
Carew	Frisbie	Herrick J J	Monczynski	Spielberg	
Caughlan	Geatons	Herrick W R	Mork	Turley	
Collin	Gerken	Heyman	Neupert	Walker	
Cuvillier	Gillen	Hoey	Oliver	Warren	
Dawson	Goldberg	Jackson	O'Neill J J	Washburn	
Donnelly	Goldstein	Jameson	O'Neil M A	Weil	
Donovan	Gould	Levy J	Parker A	Wende	
Egan	Graubard	Manley	Patrie	Zorn	60

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hoff	Pappert	Talmage	
Ahern	Cross	Jones	Parker J S	Thorn	
Allen	DeLano	Keys	Phillips C W	Ward	
Baumes	Ebbetts	Kopp	Pierce	Waring	
Brereton	Filley	Lansing	Shannon	Waters F A	
Brooks	Goodwin	Lent	Shea	Waters R B	
Bryant	Gray	Lincoln	Shepardson	White	
Butler	Haines	Macdonald	Shlivek	Wilson	
Cheney	Hammond	MacGregor	Smith T K	Winters	
Coffey	Hart	Merritt	Stivers	Yale	
Colné	Higgins	Murray	Sullivan	Yeomans	
Connell	Hinman	Nolan	Sweet	Young	60

FOR EDWARD M. SHEPARD.

Beach	Drummond	Fry	Terry	Wheeler	
Chanler	Friedman	Huber			8

FOR ALTON B. PARKER.

McDaniels					1

FOR MARTIN W. LITTLETON.

Hollmann	Hoyt				

FOR MARTIN H. GLYNN.

O'Connor	Saunders	2

FOR JOHN D. KERNAN.

Brace	Cosad	Martin	Myers	Trombly	
Bridenbecker	Day	Miller			8

FOR M. J. O'BRIEN.

Shortt	1

FOR WILLIAM SULZER.

Kennedy	1

FOR J. C. R. TAYLOR.

Evans	1

When the roll was called it was announced that Mr. Brown was paired with Mr. A. J. Levy.

Whole number of votes cast	189
Necessary to a choice	95

	Senators.	Assemblymen.	Total.
For Mr. Sheehan	22	60	82
For Mr. Depew	17	60	77
For Mr. Shepard	2	8	10
For Mr. Parker	0	1	1
For Mr. Littleton	1	2	3
For Mr. Glynn	1	2	3
For Mr. Kernan	1	8	9
For Mr. O'Brien	1	1	2
For Mr. Sulzer	0	1	1
For Mr. Taylor	0	1	1

A quorum of all the Senators and Members of Assembly being present and voting, and no person having received a majority of all the votes cast, the President of the Senate announced that no choice had been made for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Thursday, February 2d, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, and that no person having received a

majority of all the votes cast, no choice had been made, and that the joint assembly had adjourned to meet to-morrow at twelve o'clock noon in the Assembly Chamber.

Mr. Merritt, from the committee appointed to investigate corrupt practices, presented its final report, which was laid upon the table and ordered printed.

(See Assembly Document No. 30.)

The bill (No. 159, Int. No. 158) entitled "An act reappropriating a portion of the unexpended balance of the appropriation heretofore made to the office of the Secretary of State for carrying out the provisions of article eleven of the Highway Law, in relation to motor vehicles," having been announced for a third reading,

On motion of Mr. A. E. Smith, said bill was laid aside, and ordered stricken from the calendar.

Mr. Merritt offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly one thousand five hundred additional copies of the final report of the committee appointed to investigate corrupt practices.

which was referred to the committee on public printing.

Mr. MacGregor offered for the consideration of the House a resolution, in the words following:

Resolved, That five hundred additional copies of Assembly bill (Int. No. 149, Printed No. 150), entitled "An act providing for the relief of certain taxpayers of the city of Buffalo by placing the cost of acquiring lands for the extension of Laurel street in said city upon the general fund," be printed for the use of the Assembly.

which was referred to the committee on public printing.

Mr. Jackson offered for the consideration of the House a resolution, in the words following:

Resolved, That five hundred extra copies of Assembly bill (Int. No. 228, Printed No. 230) be printed for the use of the Assembly.

which was referred to the committee on public printing.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *February* 1, 1911.

Resolved (if the Assembly concur), That at the hour of 11:30 o'clock A. M. on Wednesday, February 8, 1911, the Senate and Assembly meet in joint convention as provided by law for the purpose of comparing nominations for the office of Regent of the University for the term of twelve years from the first day of April, 1911, in place of Edward Lauterbach of the borough of Manhattan, city of New York, county of New York, whose term of office is about to expire.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Bush gives notice that on Monday, February 6th, he will call up the resolution "To request the Senators and Representatives in Congress to effect the passage of a law at the present session extending the parcels post system," offered by him January 23, 1911.

Privileges of the floor were extended to Gen. Edwin A. Merritt, Hon. Geo. A. Ford, Hon. F. L. Stevens and Hon. E. J. Darling.

On motion of Mr. A. E. Smith, the House adjourned.

THURSDAY, FEBRUARY 2, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented a communication from the Rochester Academy of Medicine requesting the Health Commissioner of the State of New York to undertake the field investigation of epidemic polimyelitis, which was ordered laid upon the table.

Mr. Adler introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the allegations of a complaint" (Int. No. 317), which was read the first time and referred to the committee on codes.

Mr. Brooks introduced a bill entitled "An act to amend the Labor Law, in relation to fire drills and the establishment of fire alarm systems in factories and mercantile establishments" (Int. No. 318), which was read the first time and referred to the committee on labor and industries.

Mr. Constantine introduced a bill entitled "An act to amend the County Law relative to additional official duties of the district attorney of Niagara county and to provide for his disbursements in the performance of the same" (Int. No. 319), which was read the first time and referred to the committee on general laws.

Mr. Egan introduced a bill entitled "An act to amend the Railroad Law, in relation to the establishment of stations and the stopping of trains thereat" (Int. No. 320), which was read the first time and referred to the committee on railroads.

Mr. Filley introduced a bill entitled "An act to amend chapter thirty-five of the Laws of nineteen hundred and ten, entitled 'An act permitting the board of supervisors of Rensselaer county to create a commission to erect and furnish a new jail, workhouse and quarters for the sheriff of the county of Rensselaer, within the city of Troy, for the use of said county, to acquire the necessary land therefor, and to provide means to defray the expenses thereof" (Int. No. 321), which was read the first time and referred to the committee on general laws.

Mr. Goldberg introduced a bill entitled "An act to amend the Judiciary Law, in relation to salaries of attendants and messengers of surrogate's court of New York county and to repeal chapter four hundred and eighty-seven of the Laws of nineteen hundred and six, relative to the same subject" (Int. No. 322), which was read the first time and referred to the committee on the judiciary.

Mr. Graubard introduced a bill entitled "An act to amend the Tax Law, in relation to the exemption of personal property from taxation" (Int. No. 323), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Neupert introduced a bill entitled "An act to amend the Labor Law, in relation to prosecution for violations of such law" (Int. No. 324), which was read the first time and referred to the committee on labor and industries.

Mr. Shepardson introduced a bill entitled "An act to amend the Education Law, in relation to the establishment of a State school of agriculture and domestic science and kindred subjects at Bainbridge, Chenango county, providing for its management and control, and making an appropriation therefor" (Int. No. 325), which was read the first time and referred to the committee on ways and means.

Mr. Spielberg introduced a bill entitled "An act to amend the General Business Law, relative to the definition of terms, keeping of records in employment agencies, et cetera" (Int. No. 326), which was read the first time and referred to the committee on general laws.

Mr. Walker introduced a bill entitled "An act to amend the Greater New York charter, in relation to discipline in the street cleaning department" (Int. No. 327), which was read the first time and referred to the committee on affairs of cities.

Also, by request, "An act to amend the General Business Law, in relation to requiring passenger elevators to be equipped with automatic locking device" (Int. No. 328), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Penal Law, in relation to fraudulent practices by chauffeurs" (Int. No. 329), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Civil Service Law, in relation to the qualifications of persons appointed or employed in the civil service" (Int. No. 330), which was read the first time and referred to the committee on the judiciary.

Mr. Ward introduced a bill entitled "An act to amend the Penal Law in relation to the sale and possession of weapons and explosives, and to impose taxes in respect thereto" (Int. No. 331), which was read the first time and referred to the committee on codes.

Mr. Manley introduced a bill entitled "An act making an appropriation for highway improvement in expediting the building

of certain State routes" (Int. No. 332), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Forest, Fish and Game Law, in relation to the open season for grouse, and for trout, in certain parts of Oneida county" (Int. No. 333), which was read the first time and referred to the committee on forestry, fisheries and game.

Also, "An act to amend chapter seven hundred and thirty-eight of the Laws of eighteen hundred and ninety-seven, entitled 'An act creating a board of assessors in and for the city of Utica and defining its powers' relative to preparing and review of assessment rolls" (Int. No. 334), which was read the first time and referred to the committee on affairs of cities.

Mr. Washburn introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to hooking suckers through the ice in Ulster county" (Int. No. 335), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Beach introduced a bill entitled "An act to amend chapter one hundred and eleven of the Laws of eighteen hundred and fifty-one, entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' in relation to commissioners of Evergreen cemetery, their powers, duties and salaries and the maintenance of such cemetery at the expense of such village" (Int. No. 336), which was read the first time and referred to the committee on affairs of villages.

Mr. Goodwin introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article seven of the Constitution in relation to the forest preserve" (Int. No. 337), which was read the first time and referred to the committee on the judiciary.

Mr. Wilson introduced a bill entitled "An act to provide for the purchase of additional lands for the armory of the Thirty-fourth Separate Company of the National Guard at the city of Geneva and making an appropriation therefor" (Int. No. 338), which was read the first time and referred to the committee on ways and means.

Mr. Washburn introduced a bill entitled "An act making an appropriation for highway improvement in expediting the building

of a certain State route" (Int. No. 339), which was read the first time and referred to the committee on ways and means.

Mr. McGrath introduced a bill entitled "Concurrent resolution of the Senate and Assembly to amend section six of article one of the Constitution, in relation to taking private property for public use" (Int. No. 340), which was read the first time and referred to the committee on the judiciary.

Mr. O'Connor introduced a bill entitled "An act to amend the Stock Corporation Law, in relation to consideration for issue of stock and bonds" (Int. No. 341), which was read the first time and referred to the committee on general laws.

Mr. Goldberg introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to applications for liquor tax certificates for certain premises within two hundred feet of a church or schoolhouse" (Int. No. 342), which was read the first time and referred to the committee on excise.

Mr. O'Connor introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to the Constitution, in relation to recall of elective officers" (Int. No. 343), which was read the first time and referred to the committee on the judiciary.

Mr. Sheide introduced a bill entitled "An act to establish the office of receiver of taxes of the town of Babylon, in the county of Suffolk, defining the powers and duties of the receiver and fixing his compensation" (Int. No. 344), which was read the first time and referred to the committee on general laws.

Mr. Brooks introduced a bill entitled "An act authorizing the board of estimate and apportionment of the city of New York to hear and determine, and the comptroller of the city of New York to pay the claim of Donald Grant against the city of New York" (Int. No. 345), which was read the first time and referred to the committee on affairs of cities.

Mr. Warren introduced a bill entitled "An act to provide for a revision of the Code of Civil Procedure, and making an appropriation therefor" (Int. No. 346), which was read the first time and referred to the committee on ways and means.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	DeLano	Hart	McElligott	Shepardson
Ahern	Donnelly	Hammond	McGrath	Shlivek
Allen	Drummond	Hearn	McKeon	Shortt
Beach	Ebbetts	Herrick J J	Merritt	Smith A E
Blauvelt	Egan	Herrick W R	Miller	Smith T K
Boylan	Evans	Heyman	Moncsynski	Stivers
Brace	Farrell	Higgins	Mork	Sullivan
Brereton	Fay	Hinman	Murray	Sweet
Bridenbecker	Filley	Hoff	Myers	Talmage
Brooks	Foley	Hollman	Neupert	Terry
Bryant	Friedman	Hoyt	Nolan	Trombly
Bush	Fry	Huber	O'Connor	Turley
Butler	Geatons	Jackson	Oliver	Walker
Carew	Gerhardt	Jameson	O'Neill J J	Ward
Caughlan	Gerken	Kennedy	O'Neil M A	Warren
Chanler	Gillen	Keys	Pappert	Washburn
Cheney	Goldberg	Lansing	Parker A	Waters F A
Coffey	Goldstein	Lent	Parker J S	Waters R B
Collin	Goodman	Levy A J	Patrie	Weil
Colné	Goodwin	Levy J	Phillips C W	Wheeler
Connell	Gould	Macdonald	Pierce	White
Constantine	Graubard	MacGregor	Saunders	Wilson
Cosad	Gray	Manley	Schifferdecker	Yale
Cross	Gregg	Martin	Seeley	Yeomans
Cuvillier	Gurnett	McCue	Shannon	Young
Dawson	Hackett	McDaniels	Sheide	Speaker
Day	Haines			

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That on Tuesday, February seventh, at eleven-thirty o'clock A. M. the Assembly proceed to nominate a Regent of the University to succeed Edward Lauterbach of the borough of Manhattan, city of New York, whose term of office will expire March 31, 1911.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk of the Assembly be and is hereby directed to have all notices of Assembly committee meetings duly posted on the bulletin board, with a person in charge to give all

necessary information relative thereto, at an expense not exceeding three hundred dollars for the entire session, payable out of the appropriation for contingent expenses of the Legislature on the certificate of the Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Haines	McDaniels	Sheide
Ahern	Donnelly	Hart	McElligott	Shepardson
Allen	Drummond	Hammond	McGrath	Shlivek
Beach	Ebbetts	Hearn	McKeon	Shortt
Blauvelt	Egan	Herrick J J	Merritt	Smith A E
Boylan	Evans	Herrick W R	Miller	Smith T K
Brace	Farrell	Heyman	Monczynski	Stivers
Brennan	Fay	Higgins	Mork	Sullivan
Brereton	Filley	Hinman	Murray	Sweet
Bridenbecker	Foley	Hoff	Myers	Talmage
Brooks	Friedman	Hollmann	Neupert	Terry
Bryant	Fry	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Turley
Butler	Gerhardt	Jackson	Oliver	Walker
Carew	Gerken	Jameson	O'Neill J J	Ward
Caughlan	Gillen	Kennedy	O'Neil M A	Warren
Chanler	Goldberg	Keys	Pappert	Washburn
Cheney	Goldstein	Lansing	Parker A	Waters F A
Coffey	Goodman	Lent	Parker J S	Waters R B
Collin	Goodwin	Levy A J	Patrie	Weil
Colné	Gould	Levy J	Phillips C W	Wheeler
Constantine	Graubard	Macdonald	Pierce	White
Cosad	Gray	MacGregor	Saunders	Wilson
Cross	Gregg	Manley	Schifferdecker	Yale
Cuvillier	Gurnett	Martin	Seeley	Yeomans
Dawson	Hackett	McCue	Shannon	Young
Day				

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill (No. 79, Int. No. 79) introduced by Mr. Jackson, entitled "An act making appropriations for the commission, appointed pursuant to chapter five hundred and eighteen of the Laws of nineteen hundred and nine, to inquire into the question of employers' liability and certain other questions specified in such act," reported in favor of the passage of the same, with the following amendments:

Line 1, page 1, strike out words "ten thousand" and insert "five thousand," also the numerals "$10,000," and insert "$5,000."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Gurnett (No. 179, Int. No. 178), entitled "An act making an appropriation for highway improvement in expediting the building of a State highway or road from a point on route number four at the dividing line between Broome and Tioga counties to Geneva," reported the same with the following amendments:

Page 1, line 1, strike out " or as ".

Page 1, line 2, strike out " much thereof as may be necessary on the first ".

Page 1, line 3, strike out ' day of October nineteen hundred and eleven ".

Page 1, line 3, insert after " eleven ", " immediately ".

Page 2, line 1, after word " in " insert " accordance with the provisions of article six of the Highway Law for ".

Page 2, line 14, after word " routes " insert "And providing the whole of the aforesaid amount is not necessary to complete the aforesaid routes, then the amount unexpended shall be used for the construction and improvement of State route number thirty-six, commencing at a point on said State route number thirty-six, at or near Owego and running in a northerly direction to a point on the dividing line between Tioga and Tompkins counties. No county in which roads are improved under this chapter shall participate in the future annual appropriation of funds for the improvement of State roads until such time as the counties not participating in the funds provided by this chapter shall have received such amount of improvement as will equalize the mileage."

and request that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. A. E. Smith (No. 130, Int. No. 129), entitled "An act to amend the Executive Law in relation to the expenses incurred by the Attorney-General in attending at any term of the Supreme Court or appearing before the grand jury thereof," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 92, Int. No. 92) introduced by Mr. Chanler, entitled "An act to amend section fifteen hundred and ninety-four of the Code of Civil Procedure," reported in favor of the passage of the same, with the following amendments:

On page 1, line 3, after the figures " 1594," insert the following in italics: " When the State is interested ".

On page 2, line 5, strike out the word " May " and insert the word " September ".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 49, Int. No. 49) introduced by Mr. Patrie, entitled "An act to amend the Code of Civil Procedure in relation to permitting certain classes of innkeepers or tavernkeepers to serve as justices of the peace," reported in favor of the passage of the same, with the following amendments:

On page 1, line 4, put words " in fact " in brackets.

On page 1, line 4, strike out words " and who is ".

On page 1, line 5, strike out words " under a certificate or license therefor lawfully ".

On page 1, line 6, strike out words " issued " and " under authority of ".

On page 1, line 7, strike out the words " the law ".

On page 1, insert after line 11, the following: " Section 2. This act shall take effect September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 91, Int. No. 91) introduced by Mr. Chanler, entitled "An act to amend section four hundred and forty-seven of the Code of Civil Procedure," reported in favor of the passage of the same, with the following amendments:

On page 1, line 3, insert after the number " 447 " the following in italics: " Idem: as defendants ".

On page 2, line 12, after the word " made " insert the words " a party," in italics, and strike out the word " parties ".

On page 2, line 17, strike out the word " May " and insert the word " September ".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 93, Int. No. 93) introduced by Mr. Chanler, entitled "An act to amend section sixteen hundred and twenty-seven of the Code of Civil Procedure," reported in favor of the passage of the same, with the following amendments:

On page 1, line 3, after the figures "1627" insert the following in italics: "Person liable for mortgage debt may be made defendant".

On page 2, line 13, omit hyphen between the words "party" and "defendant".

On page 2, line 16, strike out the word "May" and insert the word "September".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Gould (No. 201, Int. No. 200), entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Niagara county, and abolishing the office of commissioner of jurors in such county," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Martin, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. Sullivan (No. 111, Int. No. 110), entitled "An act to provide for the submission of a proposition to the taxpayers of the village of Silver Creek to determine whether the expense, within certain limits, of maintaining a building for public purposes to be conveyed to the Silver Creek Memorial Association, herein incorporated, shall be borne by said village, and to regulate the management and control of said building."

Also, Assembly bill introduced by Mr. Martin (No. 82, Int. No. 82), entitled "An act to authorize the board of education of the union free school of the village of Saratoga Springs to borrow money on notes to be issued by said board, for the purpose of de-

fraying the expenses incurred in erecting a new schoolhouse in said village."

Also, Assembly bill introduced by Mr. Lincoln (No. 73, Int. No. 74), entitled "An act to legalize, ratify and confirm the proceedings of the village of Cherry Creek in the county of Chautauqua, in the matter of raising the sum of thirty thousand dollars for the construction of a pressure water system for said village; to legalize, ratify and confirm the sale and issuance of the bonds of said village in the amount of twenty-five thousand dollars of said sum; to authorize the sale and issuance of the bonds of said village for the balance thereof; and to provide for the payment of the interest and principal of said bonds," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Graubard, from the committee on public printing, to which was referred the resolution relative to printing one thousand five hundred additional copies of the final report of the committee appointed to investigate corrupt practices," reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the use of the Assembly one thousand five hundred additional copies of the final report of the committee appointed to investigate corrupt practices.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Haines	McDaniels	Sheide
Ahern	Donnelly	Hart	McElligott	Shepardson
Allen	Drummond	Hammond	McGrath	Shlivek
Beach	Ebbetts	Hearn	McKeon	Shortt
Blauvelt	Egan	Herrick J J	Merritt	Smith A E
Boylan	Evans	Herrick W R	Miller	Smith T K
Brace	Farrell	Heyman	Monczynski	Stivers
Brennan	Fay	Higgins	Mork	Sullivan
Brereton	Filley	Hinman	Murray	Sweet
Bridenbecker	Foley	Hoff	Myers	Talmage
Brooks	Friedman	Hollmann	Neupert	Terry
Bryant	Fry	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Turley
Butler	Gerhardt	Jackson	Oliver	Walker

Carew	Gerken	Jameson	O'Neill J J	Ward
Caughlan	Gillen	Kennedy	O'Neil M A	Warren
Chanler	Goldberg	Keys	Pappert	Washburn
Cheney	Goldstein	Lansing	Parker A	Waters F A
Coffey	Goodman	Lent	Parker J S	Waters R B
Collin	Goodwin	Levy A J	Patrie	Weil
Colné	Gould	Levy J	Phillips C W	Wheeler
Constantine	Graubard	Macdonald	Pierce	White
Cosad	Gray	MacGregor	Saunders	Wilson
Cross	Gregg	Manley	Schifferdecker	Yale
Cuvillier	Gurnett	Martin	Seeley	Yeomans
Dawson	Hackett	McCue	Shannon	Young
Day				

Mr. Graubard, from the committee on public printing, to which was referred the resolution relative to printing one thousand additional copies of Assembly bill (Int. No. 120, Printed No. 121) reported in favor of the adoption of the following resolution:

Resolved, That there be printed one thousand additional copies of Assembly bill (Int. No. 120, Printed No. 121).

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Haines	McDaniels	Sheide
Ahern	Donnelly	Hart	McElligott	Shepardson
Allen	Drummond	Hammond	McGrath	Shlivek
Beach	Ebbetts	Hearn	McKeon	Shortt
Blauvelt	Egan	Herrick J J	Merritt	Smith A E
Boylan	Evans	Herrick W R	Miller	Smith T K
Brace	Farrell	Heyman	Monczynski	Stivers
Brennan	Fay	Higgins	Mork	Sullivan
Brereton	Filley	Hinman	Murray	Sweet
Bridenbecker	Foley	Hoff	Myers	Talmage
Brooks	Friedman	Hollmann	Neupert	Terry
Bryant	Fry	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Turley
Butler	Gerhardt	Jackson	Oliver	Walker
Carew	Gerken	Jameson	O'Neill J J	Ward
Caughlan	Gillen	Kennedy	O'Neil M A	Warren
Chanler	Goldberg	Keys	Pappert	Washburn
Cheney	Goldstein	Lansing	Parker A	Waters F A
Coffey	Goodman	Lent	Parker J S	Waters R B
Collin	Goodwin	Levy A J	Patrie	Weil
Colné	Gould	Levy J	Phillips C W	Wheeler
Constantine	Graubard	Macdonald	Pierce	White
Cosad	Gray	MacGregor	Saunders	Wilson
Cross	Gregg	Manley	Schifferdecker	Yale
Cuvillier	Gurnett	Martin	Seeley	Yeomans
Dawson	Hackett	McCue	Shannon	Young
Day				

Mr. Graubard, from the committee on public printing, to which was referred the resolution relative to printing five hundred additional copies of Assembly bill (Int. No. 228, Printed No. 230) reported in favor of the adoption of the following resolution:

Resolved, That five hundred extra copies of Assembly bill (Int. No. 228, Printed No. 230) be printed for the use of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Haines	McDaniels	Sheide
Ahern	Donnelly	Hart	McElligott	Shepardson
Allen	Drummond	Hammond	McGrath	Shlivek
Beach	Ebbetts	Hearn	McKeon	Shortt
Blauvelt	Egan	Herrick J J	Merritt	Smith A E
Boylan	Evans	Herrick W R	Miller	Smith T K
Brace	Farrell	Heyman	Monczynski	Stivers
Brennan	Fay	Higgins	Mork	Sullivan
Brereton	Filley	Hinman	Murray	Sweet
Bridenbecker	Foley	Hoff	Myers	Talmage
Brooks	Friedman	Hollmann	Neupert	Terry
Bryant	Fry	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Turley
Butler	Gerhardt	Jackson	Oliver	Walker
Carew	Gerken	Jameson	O'Neill J J	Ward
Caughlan	Gillen	Kennedy	O'Neil M A	Warren
Chanler	Goldberg	Keys	Pappert	Washburn
Cheney	Goldstein	Lansing	Parker A	Waters F A
Coffey	Goodman	Lent	Parker J S	Waters R B
Collin	Goodwin	Levy A J	Patrie	Weil
Colné	Gould	Levy J	Phillips C W	Wheeler
Constantine	Graubard	Macdonald	Pierce	White
Cosad	Gray	MacGregor	Saunders	Wilson
Cross	Gregg	Manley	Schifferdecker	Yale
Cuvillier	Gurnett	Martin	Seeley	Yeomans
Dawson	Hackett	McCue	Shannon	Young
Day				

Mr. Graubard, from the committee on public printing, to which was referred the resolution relative to printing five hundred additional copies of Assembly bill (Int. No. 149, Printed No. 150) reported in favor of the adoption of the following resolution:

Resolved, That five hundred additional copies of Assembly bill (Int. No 149, Printed No. 150), entitled "An act providing for the relief of certain taxpayers of the city of Buffalo by placing

the cost of acquiring lands for the extension of Laurel street in said city upon the general fund," be printed for the use of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Haines	McDaniels	Sheide
Ahern	Donnelly	Hart	McElligott	Shepardson
Allen	Drummond	Hammond	McGrath	Shlivek
Beach	Ebbetts	Hearn	McKeon	Shortt
Blauvelt	Egan	Herrick J J	Merritt	Smith A E
Boylan	Evans	Herrick W R	Miller	Smith T K
Brace	Farrell	Heyman	Monczynski	Stivers
Brennan	Fay	Higgins	Mork	Sullivan
Brereton	Filley	Hinman	Murray	Sweet
Bridenbecker	Foley	Hoff	Myers	Talmage
Brooks	Friedman	Hollmann	Neupert	Terry
Bryant	Fry	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Turly
Butler	Gerhardt	Jackson	Oliver	Walker
Carew	Gerken	Jameson	O'Neill J J	Ward
Caughlan	Gillen	Kennedy	O'Neil M A	Warren
Chanler	Goldberg	Keys	Pappert	Washburn
Cheney	Goldstein	Lansing	Parker A	Waters F A
Coffey	Goodman	Lent	Parker J S	Waters R B
Collin	Goodwin	Levy A J	Patrie	Weil
Colne	Gould	Levy J	Phillips C W	Wheeler
Constantine	Graubard	Macdonald	Pierce	White
Cosad	Gray	MacGregor	Saunders	Wilson
Cross	Gregg	Manley	Schifferdecker	Yale
Cuvillier	Gurnett	Martin	Seeley	Yeomans
Dawson	Hackett	McCue	Shannon	Young
Day				

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Black	Fiero	Griffin	McClelland	Sanner
Cronin	Frawley	Harden	O'Brien	Sullivan T D
Cullen	Gittins	Long	Ramsperger	Wagner
Ferris				16

FOR CHAUNCEY M. DEPEW.

Allen	Cobb	Heacock	Platt	Thomas	
Argetsinger	Emerson	Ormrod	Sage	Walters	
Bussey	Griffith				12

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR MARTIN W. LITTLETON.

Burd	1

FOR MARTIN H. GLYNN.

Duhamel	1

FOR M. J. O'BRIEN.

Loomis	1

FOR JOHN D. KERNAN.

White	1

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM. F. SHEEHAN.

Blauvelt	Fay	Gurnett	McCue	Patrie	
Boylan	Foley	Hackett	McElligott	Schifferdecker	
Brennan	Frisbie	Hearn	McGrath	Seeley	
Bush	Geaton	Herrick J J	McKeon	Sheide	
Carew	Gerhardt	Herrick W R	Mork	Smith A E	
Collin	Gerken	Heyman	Neupert	Turley	
Cuvillier	Gillen	Jackson	Oliver	Walker	
Dawson	Goldstein	Jameson	O'Neil J J	Warren	
Donnelly	Gould	Levy A J	O'Neil M A	Washburn	
Donovan	Graubard	Levy J	Parker A	Weil	
Egan	Gregg	Manley			53

FOR CHAUNCEY M. DEPEW.

Adler	Cross	Hinman	Pappert	Sweet	
Ahern	DeLano	Hoff	Parker J S	Talmage	
Allen	Ebbetts	Keys	Phillips C W	Ward	
Brereton	Filley	Lansing	Pierce	Waters F A	
Brooks	Goodman	Lent	Shannon	Waters R B	
Bryant	Goodwin	Macdonald	Shepardson	White	
Butler	Gray	MacGregor	Shlivek	Wilson	
Cheney	Haines	Merritt	Smith T K	Yale	
Coffey	Hammond	Murray	Stivers	Yeomans	
Colné	Hart	Nolan	Sullivan	Young	
Constantine	Higgins				52

FOR EDWARD M. SHEPARD.

Beach	Drummond	Fry	Terry	Wheeler	
Chanler	Friedman	Huber			8

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN W. LITTLETON.

Hollmann Hoyt 2

FOR MARTIN H. GLYNN.

O'Connor Saunders 2

FOR JOHN D. KERNAN.

Brace Cosad Martin Myers Trombly
Bridenbecker Day Miller 8

FOR M. J. O'BRIEN.

Shortt 1

FOR WILLIAM SULZER.

Kennedy 1

FOR J. C. R. TAYLOR.

Evans 1

Whole number of votes cast..... 163
Necessary to a choice..... 82

	Senators.	Assemblymen.	Total.
For Mr. Sheehan.....	16	53	59
For Mr. Depew.....	12	52	64
For Mr. Shepard.....	2	8	10
For Mr. Parker.....	0	1	1
For Mr. Littleton.....	1	2	3
For Mr. Glynn.....	1	2	3
For Mr. Kernan.....	1	8	9
For Mr. O'Brien.....	1	1	2
For Mr. Sulzer.....	0	1	1
For Mr. Taylor.....	0	1	1

A quorum of all the Senators and Members of Assembly being present and voting, and no person having received a majority of all the votes cast, the President of the Senate announced that no choice had been made for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Friday, February 3d, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, and that no person having received a majority of all the votes cast, no choice had been made, and that the joint assembly had adjourned to meet to-morrow at twelve o'clock noon in the Assembly Chamber.

The bill (No. 32, Int. No. 32) entitled "An act to amend the Village Law, in relation to election on proposition to incorporate," having been announced for a second reading,

On motion of Mr. Evans, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 134, Int. No. 133) entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts, generally,'" was read the second time.

On motion of Mr. Winters, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 4, Int. No. 4) entitled "An act to amend chapter one hundred and seventy-six of the Laws of nineteen hundred and five, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon and to authorize such city to raise money therefor by the issue of bonds,'" was read the second time.

On motion of Mr. Coffey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 6, Int. No. 6) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the annual budget of the board of education," was read the second time.

On motion of Mr. Coffey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 15, Int. No. 15) entitled "An act authorizing the common council and mayor of the city of Buffalo to convey by quitclaim deeds to abutting owners a strip of land lying between

the present lines of Woodlawn avenue and private property adjacent thereto," was read the second time.

On motion of Mr. MacGregor, said bill was placed on the order of third reading.

On motion of Mr. MacGregor, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Haines	McDaniels	Sheide
Ahern	Donnelly	Hart	McElligott	Shepardson
Allen	Drummond	Hammond	McGrath	Shlivek
Beach	Ebbetts	Hearn	McKeon	Shortt
Blauvelt	Egan	Herrick J J	Merritt	Smith A E
Boylan	Evans	Herrick W R	Miller	Smith T K
Brace	Farrell	Heyman	Monczynski	Stivers
Brennan	Fay	Higgins	Mork	Sullivan
Berreton	Filley	Hinman	Murray	Sweet
Bridenbecker	Foley	Hoff	Myers	Talmage
Brooks	Friedman	Hollmann	Neupert	Terry
Bryant	Fry	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Turley
Butler	Gerhardt	Jackson	Oliver	Walker
Carew	Gerken	Jameson	O'Neill J J	Ward
Caughlan	Gillen	Kennedy	O'Neil M A	Warren
Chanler	Goldberg	Keys	Pappert	Washburn
Cheney	Goldstein	Lansing	Parker A	Waters F A
Coffey	Goodman	Lent	Parker J S	Waters R B
Collin	Goodwin	Levy A J	Patrie	Weil
Colné	Gould	Levy J	Phillips C W	Wheeler
Constantine	Graubard	Macdonald	Pierce	White
Cosad	Gray	MacGregor	Saunders	Wilson
Cross	Gregg	Manley	Schifferdecker	Yale
Cuvillier	Gurnett	Martin	Seeley	Yeomans
Dawson	Hackett	McCue	Shannon	Young
Day				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 35, Int. No. 35) entitled "An act to authorize the city of Kingston to borrow money for street improvements and issue bonds therefor," was read the second time.

On motion of Mr. Washburn, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 36, Int. No. 36) entitled "An act to authorize the city of Kingston to borrow money for the acquisition of a site and the construction of a building for city purposes," was read the second time.

On motion of Mr. Washburn, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 76, Int. No. 5) entitled "An act relating to the repaving of West Lincoln avenue and West First street, as widened, from Eleventh avenue to the New York city line, in the city of Mount Vernon," was read the second time.

On motion of Mr. Coffey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 101, Int. No. 101) entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the fire pension fund," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McElligott	Shepardson
Ahern	Donnelly	Hammond	McGrath	Shlivek
Allen	Drummond	Hearn	McKeon	Shortt
Beach	Ebbetts	Herrick J J	Merritt	Smith A E
Blauvelt	Egan	Herrick W R	Miller	Smith T K
Boylan	Evans	Heyman	Monczynski	Stivers
Brace	Farrell	Higgins	Mork	Sullivan
Brennan	Fay	Hinman	Murray	Sweet
Brereton	Filley	Hoff	Myers	Talmage
Bridenbecker	Foley	Hollmann	Neupert	Terry
Brooks	Friedman	Hoyt	Nolan	Trombly
Bryant	Fry	Huber	O'Connor	Turley
Bush	Geatons	Jackson	Oliver	Walker
Butler	Gerhardt	Jameson	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring

Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Lansing	Parker A	Washburn
Cheney	Goldstein	Lent	Parker J S	Waters F A
Coffey	Goodman	Levy A J	Patrie	Waters R B
Collin	Goodwin	Levy J	Phillips C W	Weil
Colné	Gould	Macdonald	Pierce	Wheeler
Constantine	Graubard	MacGregor	Saunders	White
Cosad	Gray	Manley	Schifferdecker	Wilson
Cross	Gregg	Martin	Seeley	Yale
Cuvillier	Gurnett	McCue	Shannon	Yeomans
Dawson	Hackett	McDaniels	Sheide	Young
Day	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 160, Int. No. 159) entitled "An act to legalize, ratify and confirm the sale and issuance of the bonds of the city of Johnstown in the aggregate amount of fifteen thousand dollars, and to provide for the payment of the principal and interest of the same," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McElligott	Shepardson
Ahern	Donnelly	Hammond	McGrath	Shlivek
Allen	Drummond	Hearn	McKeon	Shortt
Beach	Ebbetts	Herrick J J	Merritt	Smith A E
Blauvelt	Egan	Herrick W R	Miller	Spielberg
Boylan	Evans	Heyman	Monczynski	Stivers
Brace	Farrell	Higgins	Mork	Sullivan
Brennan	Fay	Hinman	Murray	Sweet
Brereton	Filley	Hoff	Myers	Talmage
Bridenbecker	Foley	Hollmann	Neupert	Thorn
Brooks	Friedman	Hoyt	Nolan	Trombly
Bryant	Fry	Huber	O'Connor	Turley
Bush	Geatons	Jackson	Oliver	Walker
Butler	Gerhardt	Jameson	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Lansing	Parker A	Washburn
Cheney	Goldstein	Lent	Parker J S	Waters F A
Coffey	Goodman	Levy A J	Patrie	Waters R B
Collin	Goodwin	Levy J	Phillips J S	Weil
Colné	Gould	Macdonald	Pierce	Wheeler
Constantine	Graubard	MacGregor	Saunders	White

Cosad	Gray	Manley	Schifferdecker	Wilson
Cross	Gregg	Martin	Seeley	Yale
Cuvillier	Gurnett	McCue	Shea	Yeomans
Dawson	Hackett	McDaniels	Sheide	Young
Day	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

On motion of Mr. A. E. Smith, the House adjourned.

FRIDAY, FEBRUARY 3, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Samuel H. Goldenson.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the report of the Superintendent of Public Works in relation to the acquisition of toll bridges, which was laid upon the table and ordered printed.

(See Senate Document No. 26.)

Mr. Speaker presented the statement of commutations and reprieves granted by Governor Hughes, which was laid upon the table and ordered printed.

(See Senate Document No. 28.)

Mr. Speaker presented the statement of pardons and commutations granted by Governor Horace White, which was laid upon the table and ordered printed.

(See Senate Document No. 27.)

Mr. Gray introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to local option elections in cities" (Int. No. 347), which was read the first time and referred to the committee on excise.

Mr. Huber introduced a bill entitled "An act to amend the Code of Civil Procedure in relation to challenges to jury" (Int. No. 348), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Judiciary Law, in relation to the compensation of stenographers appointed by justices of the Appellate Division of the third and fourth departments and by justices assigned to hold Special Terms of the Supreme Court in the third and fourth judicial districts" (Int. No. 349), which was read the first time and referred to the committee on the judiciary.

Mr. A. J. Levy introduced a bill entitled "An act to amend the State Charities Law in relation to estimates" (Int. No. 350), which was read the first time and referred to the committee on the judiciary.

Also, "Concurrent resolution of the Senate and Assembly proposing an amendment to section two of article six of the Constitution, in relation to assignment of justices of the Supreme Court to hold Special and Trial Terms" (Int. No. 351), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Forest, Fish and Game Law in relation to the protection of wild birds" (Int. No. 352), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. McCue introduced a bill entitled "An act to amend the Greater New York charter, in relation to allowances for blind persons and appropriations therefor, and making temporary provision for raising funds for the present increase of such allowances" (Int. No. 353), which was read the first time and referred to the committee on affairs of cities.

Mr. Neupert introduced a bill entitled "An act conferring upon a former officer of the superior court of Buffalo the benefits of the police pension fund in the city of Buffalo" (Int. No. 354), which was read the first time and referred to the committee on affairs of cities.

Mr. C. W. Phillips introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to taking hares and rabbits" (Int. No. 355), which was read the first time and referred to the committee on forestry, fisheries and game.

Also, "An act to amend the Forest, Fish and Game Law, in relation to the taking of Mongolian ring-necked or other pheasants" (Int. No. 356), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Wheeler introduced a bill entitled "An act to make the office of county clerk of the county of Delaware a salaried office, and regulating the management of said office and fixing the salary of said clerk and his assistants" (Int. No. 357), which was read the first time and referred to the committee on internal affairs.

Mr. W. R. Herrick introduced a bill entitled "An act to amend the Civil Service Law, in relation to taxpayer's action" (Int. No. 358), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Civil Service Law, in relation to certification of payrolls" (Int. No. 359), which was read the first time and referred to the committee on the judiciary.

Mr. A. E. Smith introduced a bill entitled "An act to amend the Judiciary Law, in relation to the court of special sessions in the city of New York" (Int. No. 360), which was read the first time and referred to the committee on the judiciary.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Coffey (No. 7, Int. No. 7), entitled "An act to legalize, ratify and confirm the proceedings of the qualified voters and town board of the town of Eastchester, in the county of Westchester, the officers and agents thereof, and the proceedings of the board of supervisors of said county, in the matter of the sale and award of the bonds of said town in the amount of five thousand three hundred dollars, and to provide for the payment of the interest and principal thereof."

Also, Assembly bill introduced by Mr. Goodwin (No. 11, Int. No. 11), entitled "An act to authorize the board of education of union free school district number four of the town of Rye, in the county of Westchester, to issue certificates of indebtedness for unpaid school taxes, and to provide for the payment of such certificates."

Also, Assembly bill introduced by Mr. Goodwin (No. 212, Int. No. 212), entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages."

Also, Assembly bill introduced by Mr. Hollmann (No. 58, Int. No. 59), entitled "An act to legalize the establishment of the Roslyn water district in the town of North Hempstead, and the

issuance and sale of the bonds of said town to install a water plant in said district, and to provide for the payment of said bonds."

Also, Assembly bill introduced by Mr. Macdonald (No. 70, Int. No. 71), entitled "An act to legalize the issue of bonds of the town of Chateaugay in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of completing the erection of a town house in said town, and to provide for the payment of the principal and interest thereof."

Also, Assembly bill introduced by Mr. Washburn (No. 107, Int. No. 107), entitled "An act to amend chapter one hundred and three of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Ulster county a salaried office and regulating the management of said office,' in relation to the number and salaries of the clerks thereof," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Oliver (No. 85, Int. No. 85), entitled "An act to amend chapter sixty-two of the Laws of nineteen hundred and nine, entitled 'An act in relation to taxation, constituting chapter sixty of the Consolidated Laws,' by inserting therein after section two hundred and seventy-one, a new section to be known as section two hundred and seventy-one-a, and amending section two hundred and seventy-five thereof," retaining its place on the order of third reading, reported in favor of the passage of the same with the following amendments:

On page 2, line 16, after the word "or" before the word "permit" insert "knowingly" in italics.

On page 3, line 2, after the word "removed" and before the word "any" insert "or knowingly permit to be removed" in italics.

which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. J. J. O'Neill, from the committee on charitable and religious societies, to which was referred Assembly bill introduced by Mr. J. Levy (No. 251, Int. No. 250), entitled "An act to incorporate the American Jewish Committee," retaining its place on the order of third reading, reported in favor of the passage

of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Washburn (No. 35, Int. No. 35), entitled "An act to authorize the city of Kingston to borrow money for street improvements and issue bonds therefor."

Also, the bill introduced by Mr. Washburn (No. 36, Int. No. 36), entitled "An act to authorize the city of Kingston to borrow money for the acquisition of a site and the construction of a building for city purposes."

Also, the bill introduced by Mr. Winters (No. 134, Int. No. 133), entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally."

Also, the bill introduced by Mr. Coffey (No. 4, Int. No. 4), entitled "An act to amend chapter one hundred and seventy-six of the Laws of nineteen hundred and five, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon, and authorizing such city to raise money therefor by the issue of bonds.'"

Also, the bill introduced by Mr. Coffey (No. 6, Int. No. 6), entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the annual budget of the board of education."

Also, the bill introduced by Mr. Coffey (No. 76, Int. No. 5), entitled "An act relating to the repaving of West Lincoln avenue and West First street, as widened, from Eleventh avenue to the New York city line, in the city of Mount Vernon," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Ferris	Fiero	Gittins	Harte	Wagner	5

FOR CHAUNCEY M. DEPEW.

Bussey	Sage	2

FOR EDWARD M. SHEPARD.

Roosevelt	1

FOR MARTIN H. GLYNN.

Duhamel	1

FOR JOHN D. KERNAN.

White	1

FOR M. J. O'BRIEN.

Loomis	1

When the roll was called the following pairs were announced: Mr. Allen with Mr. Cullen; Mr. Argetsinger with Mr. Black; Mr. Brackett with Mr. Grady; Mr. Coats with Mr. McManus; Mr. Cobb with Mr. Sanner; Mr. Emerson with Mr. Griffin; Mr. Griffith with Mr. Sullivan, T. D.; Mr. Hamilton with Mr. Sullivan, C. D.; Mr. Cronin with Mr. Travis; Mr. Harden with Mr. Heacock; Mr. Hewitt with Mr. Murtaugh; Mr. Long with Mr. Ormrod; Mr. O'Brien with Mr. Thomas; Mr. Ramsperger with Mr. Walters; Mr. Rose with Mr. Stilwell; Mr. Platt with Mr. Frawley; Mr. Bayne with Mr. Wainwright.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Brennan	Fitzpatrick	Hackett	Parker A	Frisbie	
Donnelly	Gillen	Oliver	Smith A E		9

FOR CHAUNCEY M. DEPEW.

Brooks	Hinman	Merritt	Waters R B	Yeomans	
Filley	Lansing	Pappert	Wilson		9

FOR EDWARD M. SHEPARD.

Beach	Fry	Huber	Terry	Wheeler	
Friedman					6

FOR MARTIN W. LITTLETON.

Hollmann	Hoyt	2

FOR MARTIN H. GLYNN.

O'Connor	Saunders	2

FOR JOHN D. KERNAN.

Brace	Cosad	Martin	Miller	Myers	
Bridenbecker	Day				7

FOR M. J. O'BRIEN.

Shortt	1

FOR J. C. R. TAYLOR.

Evans	1

When the roll was called the following pairs were announced:

Mr. Neupert with Mr. Brown; Mr. Gurnett with Mr. Bryant; Mr. Goldberg with Mr. Shlivek; Mr. Caughlan with Mr. T. K. Smith; Mr. McElligott with Mr. Gray; Mr. Weil with Mr. Goodwin; Mr. Boylan with Mr. Higgins; Mr. Bush with Mr. Shea; Mr. Donovan with Mr. Ahern; Mr. Cuvillier with Mr. Sweet; Mr. Sheide with Mr. Talmadge; Mr. McKeon with Mr. Cross; Mr. J. J. Herrick with Mr. C. W. Phillips; Mr. Manley with Mr. Allen; Mr. Warren with Mr. Young; Mr. McGrath with Mr. Haines; Mr. Collin with Mr. Gerken; Mr. Hackett with Mr. Waters; Mr. Gerhardt with Mr. Lincoln; Mr. Schifferdecker with Mr. Keys; Mr. Washburn with Mr. Waring; Mr. Gregg with Mr. Jones; Mr. Farrell with Mr. Connell; Mr. Chanler with Mr. Yale; Mr. Dawson with Mr. Constantine; Mr. Spielberg with Mr. Baumes; Mr. Wende with Mr. Thorn; Mr. Fay with Mr. Stivers; Mr. Walker with Mr. Ebbets; Mr. Geatons with Mr. Hoff; Mr. Heyman with Mr. Lent; Mr. Gould with Mr. Waters; Mr. Hearn with Mr. Brereton; Mr. Patrie with Mr. Shepardson; Mr. Turley with Mr. Cheney; Mr. W. R. Herrick with Mr. J. S. Parker; Mr. Egan with Mr. Hammond; Mr. Carew with Mr. White; Mr. J. J. O'Neill with Mr. Coffey; Mr. McDaniels with Mr. Kopp; Mr. M. A. O'Neil with Mr. Sullivan; Mr. Zorn with Mr. Butler; Mr. Goldstein with Mr. Hart; Mr. Jameson with Mr. Macdonald; Mr. A. J. Levy with Mr. Pierce; Mr. Jackson with Mr. Delano; Mr. Mork with Mr. Goodman; Mr. Seeley with Mr. Shannon; Mr. Wende with Mr. Thorn; Mr. Foley with Mr. Mur-

ray; Mr. Blauvelt with Mr. Adler; Mr. Monczynski with Mr. Winters; Mr. Graubard with Mr. Nolan.

Whole number of votes cast..... 48

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	5	9	14
For Chauncey M. Depew.....	2	9	11
For Edward M. Shepard.....	1	6	7
For Martin W. Littleton.....	0	2	2
For Martin H. Glynn.....	1	2	3
For John W. Kernan.....	1	7	8
For M. J. O'Brien.....	1	1	2
For J. C. R. Taylor.....	0	1	1

A quorum of all the Senators and Members of Assembly not being present and voting, the President Pro Tem. of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. A. E. Smith, the joint assembly took a recess until Saturday, February 4th, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Saturday, February 4th, at twelve o'clock noon in the Assembly Chamber.

The bill (No. 130, Int. No. 129) entitled "An act to amend the Executive Law in relation to the expenses incurred by the Attorney-General in attending any term of the Supreme Court or appearing before the grand jury thereof," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 73, Int. No. 74) entitled "An act to legalize, ratify and confirm the proceedings of the village of Cherry Creek in the county of Chautauqua, in the matter of raising the sum of thirty thousand dollars for the construction of a pressure water system for said village; to legalize, ratify and confirm the sale

and issuance of the bonds of said village in the amount of twenty-five thousand dollars of said sum; to authorize the sale and issuance of the bonds of said village for the balance thereof; and to provide for the payment of the interest and principal of said bonds," was read the second time.

On motion of Mr. Lincoln, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 201, Int. No. 200) entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Niagara county, and abolishing the office of commissioner of jurors in such county," was read the second time.

On motion of Mr. Gould, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 82, Int. No. 82) entitled "An act to authorize the board of education of the union free school of the village of Saratoga Springs to borrow money on notes to be issued by said board, for the purpose of defraying the expenses incurred in erecting a new schoolhouse in said village," was read the second time.

On motion of Mr. Martin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 111, Int. No. 110) entitled "An act to provide for the submission of a proposition to the taxpayers of the village of Silver Creek to determine whether the expense, within certain limits, of maintaining a building for public purposes to be conveyed to the Silver Creek Memorial Association, herein incorporated, shall be borne by said village, and to regulate the management and control of said building," was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Chanler of Dutchess was excused until Tuesday next.

Mr. Trombly of Clinton was excused for the day.

Mr. A. E. Smith.— Mr. Speaker, before moving to adjourn I desire to state that it is fit and proper that the Assembly take notice of the fact that one hundred years ago to-day in the little town of Amhurst in the State of New Hampshire Horace Greeley was born. Proper and fitting ceremonies to celebrate that event

are taking place to-day and to-morrow, both at his birth place and at his place of residence in later years in Westchester county. During his lifetime, because of his great strength and force of character, he occupied a very prominent place in our civil and political life. He was the leader of thought in affairs of city, State and nation, at one time the candidate of our party for the presidency of the United States. It seems, therefore, fit and proper that when the Assembly adjourns to-day on this anniversary of his birthday, it adjourn out of respect to his memory.

On motion of Mr. A. E. Smith, the House adjourned until Saturday, February 4th, at 11:30 o'clock A. M.

SATURDAY, FEBRUARY 4, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Oliver, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Highway Commission, which was laid upon the table and ordered printed.

(See Senate Document No. 29.)

The Senate sent for concurrence the following entitled bills:

"An act making an appropriation for highway improvement in expediting the building of certain State routes" (No. 158, Rec. No. 3), which was read the first time and referred to the committee on ways and means.

"An act making an appropriation for highway improvement in expediting the building of a State highway or road from a point on route number four at the dividing line between Broome and Tioga counties to Geneva" (No. 157, Rec. No. 4), which was read the first time and referred to the committee on ways and means.

"An act making appropriations for the commission, appointed pursuant to chapter five hundred and eighteen of the Laws of nineteen hundred and nine, to inquire into the question of employers'

liability and certain other questions specified in such act" (No. 156, Rec. No. 5), which was read the first time and referred to the committee on ways and means.

Mr. C. W. Phillips introduced a bill entitled "An act to amend the Railroad Law, in relation to the number of the crew required for operating certain locomotive engines" (Int. No. 361), which was read the first time and referred to the committee on railroads.

Mr. Walker introduced a bill entitled "An act relative to the admission to the State bar examinations, John C. Hackett" (Int. No. 362), which was read the first time and referred to the committee on the judiciary.

Mr. O'Connor introduced a bill entitled "An act to amend the General City Law in relation to authorizing cities to acquire, construct, own, operate and lease gas, electric light, heat and power plants and railways and to provide the means therefor" (Int. No. 363), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to revoke a permit granted to the Hudson River Railroad Company by chapter two hundred and sixteen of the Laws of eighteen hundred and forty-six to locate and maintain a railroad on streets and avenues of the city of New York" (Int. No. 364), which was read the first time and referred to the committee on railroads.

Mr. McDaniels introduced a bill entitled "An act to amend the Highway Law by the addition of a new State route in the counties of Chemung, Schuyler and Tompkins" (Int. No. 365), which was read the first time and referred to the committee on internal affairs.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Gould (No. 201, Int. No. 200), entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Niagara county, and abolishing the office of commissioner of jurors in such county."

Also, the bill introduced by Mr. Lincoln (No. 73, Int. No. 74), entitled "An act to legalize, ratify and confirm the proceedings of the village of Cherry Creek in the county of Chautauqua, in the matter of raising the sum of thirty thousand dollars for the con-

struction of a pressure water system for said village, to legalize, ratify and confirm the sale and issuance of the bonds of said village in the amount of twenty-five thousand dollars of said sum; to authorize the sale and issuance of the bonds of said village for the balance thereof; and to provide for the payment of the interest and principal of said bonds."

Also, the bill introduced by Mr. A. E. Smith (No. 130, Int. No. 129), entitled "An act to amend the Executive Law in relation to the expenses incurred by the Attorney-General in attending at any term of the Supreme Court or appearing before the grand jury thereof."

Also, the bill introduced by Mr. Sullivan (No. 111, Int. No. 110), entitled "An act to provide for the submission of a proposition to the taxpayers of the village of Silver Creek to determine whether the expense, within certain limits, of maintaining a building for public purposes to be conveyed to the Silver Creek Memorial Association, herein incorporated, shall be borne by said village, and to regulate the management and control of said building," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. J. Levy (No. 251, Int. No. 250), entitled "An act to incorporate the American Jewish Committee," reported the same with the following recommendations:

On page 3, line 23, strike out apostrophe following word "days."

which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend chapter one hundred and seventy-six of the Laws of nineteen hundred and five, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon, and authorizing such city to raise money therefor by the issue of bonds.'" (No. 4, Int. No. 4.)

"An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village,

and to repeal certain acts and parts of acts,' generally." (No. 134, Int. No. 133.)

"An act relating to the repaving of West Lincoln avenue and West First street, as widened, from Eleventh avenue to the New York city line, in the city of Mount Vernon." (No. 76, Int. No. 5.)

"An act to authorize the city of Kingston to borrow money for street improvements and issue bonds therefor." (No. 35, Int. No. 35.)

"An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the annual budget of the board of education." (No. 6, Int. No. 6.)

"An act to authorize the city of Kingston to borrow money for the acquisition of a site and the construction of a building for city purposes." (No. 36, Int. No. 36.)

The bill (No. 7, Int. No. 7) entitled "An act to legalize, ratify and confirm the proceedings of the qualified voters and town board of the town of Eastchester, in the county of Westchester, the officers and agents thereof, and the proceedings of the board of supervisors of said county, in the matter of the sale and award of the bonds of said town in the amount of five thousand three hundred dollars, and to provide for the payment of the interest and principal thereof," was read the second time.

On motion of Mr. Coffey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 11, Int. No. 11) entitled "An act to authorize the board of education of union free school district number four of the town of Rye, in the county of Westchester, to issue certificates of indebtedness for unpaid school taxes, and to provide for the payment of such certificates," was read the second time.

On motion of Mr. Goodwin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 212, Int. No. 211) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," was read the second time.

On motion of Mr. Goodwin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 58, Int. No. 59) entitled "An act to legalize the establishment of the Roslyn water district in the town of North Hempstead, and the issuance and sale of the bonds of said town to install a water plant in said district, and to provide for the payment of said bonds," was read the second time.

On motion of Mr. Hollmann, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 70, Int. No. 71) entitled "An act to legalize the issue of bonds of the town of Chateaugay in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of completing the erection of a town house in said town, and to provide for the payment of the principal and interest thereof," was read the second time.

On motion of Mr. Macdonald, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 107, Int. No. 107) entitled "An act to amend chapter one hundred and three of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Ulster county a salaried office and regulating the management of said office,' in relation to the number and salaries of the clerks thereof," was read the second time.

On motion of Mr. Washburn, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Oliver offered for the consideration of the House a resolution, in the words following:

Resolved, That the Assembly of the State of New York extend its congratulations to the Right-Reverend Croswell Doane, Bishop of the Episcopal Diocese of Albany, upon the forty-third anniversary of his consecration as Bishop; and be it further

Resolved, That a copy of this resolution, suitably engrossed, be transmitted to Bishop Doane.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Messrs. Day of Jefferson, Evans of Sullivan, Miller of Otsego, Wheeler of Delaware, Fry of Kings, Drummond of Cayuga and LaReau of Erie were excused until Monday, February 6th.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the

election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Ferris	Fiero	Wagner		3

FOR CHAUNCEY M. DEPEW.

Bussey	Sage	2

FOR EDWARD M. SHEPARD.

Roosevelt	1

When the roll was called the following pairs were announced:

Mr. Allen with Mr. Cullen; Mr. Argetsinger with Mr. Black; Mr. Brackett with Mr. Grady; Mr. Coats with Mr. McManus; Mr. Cobb with Mr. Sanner; Mr. Emerson with Mr. Griffin; Mr. Griffith with Mr. Sullivan, T. D.; Mr. Hamilton with Mr. Sullivan, C. D.; Mr. Cronin with Mr. Travis; Mr. Harden with Mr. Heacock; Mr. Hewitt with Mr. Murtaugh; Mr. Long with Mr. Ormrod; Mr. O'Brien with Mr. Thomas; Mr. Ramsperger with Mr. Waters; Mr. Rose with Mr. Stilwell; Mr. Platt with Mr. Frawley; Mr. Bayne with Mr. Wainwright.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Donnelly	Oliver	Parker A	Frisbie	4

FOR CHAUNCEY M. DEPEW.

Lansing	Pappert	Yeomans	3

FOR EDWARD M. SHEPARD.

Terry	1

FOR MARTIN W. LITTLETON.

Hollmann	1

FOR MARTIN H. GLYNN.

O'Connor	Saunders	2

FOR JOHN D. KERNAN.

Brace	Cosad	2

When the roll was called the following pairs were announced: Mr. Neupert with Mr. Brown; Mr. Gurnett with Mr. Bryant; Mr. Goldberg with Mr. Shlivek; Mr. Caughlan with Mr. T. K. Smith; Mr. McElligott with Mr. Gray; Mr. Weil with Mr. Goodwin; Mr. Boylan with Mr. Higgins; Mr. Bush with Mr. Shea; Mr. Donovan with Mr. Ahern; Mr. Cuvillier with Mr. Sweet; Mr. Sheide with Mr. Talmage; Mr. McKeon with Mr. Cross; Mr. J. J. Herrick with Mr. C. W. Phillips; Mr. Manley with Mr. Allen; Mr. Warren with Mr. Young; Mr. McGrath with Mr. Haines; Mr. Colne with Mr. Gerken; Mr. Hackett with Mr. Waters; Mr. Gerhardt with Mr. Lincoln; Mr. Schifferdecker with Mr. Keys; Mr. Washburn with Mr. Waring; Mr. Gregg with Mr. Jones; Mr. Farrell with Mr. Connell; Mr. Chanler with Mr. Yale; Mr. Dawson with Mr. Constantine; Mr. Spielberg with Mr. Baumes; Mr. Fay with Mr. Stivers; Mr. Walker with Mr. Ebbetts; Mr. Geatons with Mr. Hoff; Mr. Heyman with Mr. Lent; Mr. Gould with Mr. Waters; Mr. Hearn with Mr. Brereton; Mr. Patrie with Mr. Shepardson; Mr. Turley with Mr. Cheney; Mr. W. R. Herrick with Mr. J. S. Parker; Mr. Egan with Mr. Hammond; Mr. Carew with Mr. White; Mr. J. J. O'Neill with Mr. Coffey; Mr. McDaniels with Mr. Kopp; Mr. M. A. O'Neil with Mr. Sullivan; Mr. Zorn with Mr. Butler; Mr. Goldstein with Mr. Hart; Mr. Jameson with Mr. Macdonald; Mr. A. J. Levy with Mr. Pierce; Mr. Jackson with Mr. Delano; Mr. Mork with Mr. Goodman; Mr. Seeley with Mr. Shannon; Mr. Wende with Mr. Thorn; Mr. Foley with Mr. Murray; Mr. Blauvelt with Mr. Adler; Mr. Monczynski with Mr. Winters; Mr. Graubard with Mr. Nolan; Mr. Merritt with Mr. A. E. Smith.

Whole number of votes cast..... 19

	Senators.	Assemblymen.	Total
For William F. Sheehan.....	3	4	7
For Chauncey M. Depew.....	2	3	5
For Edward M. Shepard.....	1	1	2
For Martin W. Littleton.....	0	1	1
For Martin H. Glynn.....	0	2	2
For John W. Kernan.....	0	2	2

A quorum of all the Senators and Members of Assembly not being present and voting, the President Pro Tem. of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Oliver, the joint assembly took a recess until Monday, February 6th, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Monday, February 6th, at twelve o'clock noon in the Assembly Chamber.

On motion of Mr. Oliver, the House adjourned until Monday, February 6th, at eleven thirty o'clock A. M.

MONDAY, FEBRUARY 6, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Edward R. James.

On motion of Mr. A. E. Smith, the reading of the journal of Saturday, February 4th, was dispensed with and the same was approved.

Mr. Foley introduced a bill entitled "An act to establish the milk commission and prescribing its powers and duties, and to provide for the regulation and control of dealers in milk and making an appropriation therefor" (Int. No. 366), which was read the first time and referred to the committee on ways and means.

Mr. McDaniels introduced a bill entitled "An act to amend the Ithaca city charter, in relation to the issue of bonds for or in aid of a water supply" (Int. No. 367), which was read the first time and referred to the committee on affairs of cities.

Mr. Miller introduced a bill entitled "An act extending a right and privilege heretofore granted by the State to the erection and

maintenance of a dam across the Susquehanna river" (Int. No. 368), which was read the first time and referred to the committee on ways and means.

Mr. O'Connor introduced a bill entitled "An act to repeal portions of chapter two hundred and sixteen of the Laws of eighteen hundred and forty-six, entitled 'An act to authorize the construction of a railroad from New York to Albany,' and acts amendatory thereof and supplemental thereto, and to forbid the use of certain thoroughfares by steam surface railroads in New York city and authorize the relocation of such railroads by agreement with said city" (Int. No. 369), which was read the first time and referred to the committee on railroads.

Mr. T. K. Smith introduced a bill entitled "An act to amend the General Business Law, in relation to employment agencies" (Int. No. 370), which was read the first time and referred to the committee on general laws.

Mr. Wilson introduced a bill entitled "An act to amend the Agricultural Law, in relation to the sale of apples, pears and peaches" (Int. No. 371), which was read the first time and referred to the committee on agriculture.

Mr. Cosad introduced a bill entitled "An act to legalize certain proceedings of the village of Waterloo, in Seneca county, its legal voters, trustees, officers and agents relating to the establishment of a sewer system and disposal plant, including the making of contracts and issue of village bonds therefor, and to authorize the execution and sale of such bonds and provide for their payment from moneys to be raised by taxation in said village" (Int. No. 372), which was read the first time and referred to the committee on affairs of villages.

Mr. McCue introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to the definition of 'convicted and conviction'" (Int. No. 373), which was read the first time and referred to the committee on excise.

Mr. J. Levy introduced a bill entitled "An act to amend the Transportations Law, in relation to requiring telephone companies to furnish names and telephone numbers of subscribers called during current month" (Int. No. 374), which was read the first time and referred to the committee on electricity, gas and water supply.

Also, "An act to amend the Tax Law, in relation to the transfer by will or intestacy, of shares of stock in a New York corporation owned by a non-resident" (Int. No. 375), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. C. W. Phillips introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to prohibiting taking of game on Sunday" (Int. No. 376), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Patrie, by request, introduced a bill entitled "An act to amend the Education Law relative to the New York State teachers' retirement fund for public school teachers" (Int. No. 377), which was read the first time and referred to the committee on public education.

Mr. Murray introduced a bill entitled "An act to amend the Insurance Law, in relation to illegal combinations or agreements in respect to the business of fire insurance" (Int. No. 378), which was read the first time and referred to the committee on insurance.

Mr. Graubard introduced a bill entitled "An act to amend the Tax Law, in relation to public advertisements" (Int. No. 379), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	DeLano	Hearn	McElligott	Smith A E
Ahern	Donnelly	Herrick J J	McGrath	Smith T K.
Allen	Donovan	Herrick W R	McKeon	Stivers
Beach	Drummond	Heyman	Merritt	Sullivan
Blauvelt	Ebbetts	Higgins	Miller	Sweet
Boylan	Evans	Hinman	Moncsynski	Talmage
Brace	Fay	Hoey	Murray	Terry
Brennan	Filley	Hoff	Myers	Thorn
Brereton	Fitzpatrick	Hollmann	Neupert	Trombly
Bridenbecker	Foley	Hoyt	Nolan	Turley
Brooks	Friedman	Huber	O'Connor	Walker
Bryant	Fry	Jackson	Oliver	Ward
Bush	Geatons	Jameson	O'Neill J J	Waring
Butler	Gerhardt	Jones	O'Neil M A	Warren
Carew	Gillen	Kennedy	Pappert	Waters F A
Caughlan	Goldberg	Lansing	Parker A	Waters R B

Cheney	Goldstein	Lent	Parker J S	Weil
Coffey	Goodwin	Levy A J	Patrie	Wende
Collin	Gould	Levy J	Phillips C W	Wheeler
Colné	Graubard	Lincoln	Pierce	White
Constantine	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Seeley	Winters
Cross	Hackett	Manley	Shannon	Yale
Cuvillier	Haines	Martin	Sheide	Yeomans
Dawson	Hart	McCue	Shepardson	Zorn
Day	Hammond	McDaniels	Shortt	Speaker

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Chanler of Dutchess and LaReau of Erie were excused for the day.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Foley (No. 120, Int. No. 119), entitled "An act to incorporate the American-Scandinavian Foundation," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bill as correctly printed or engrossed:

"An act authorizing the common council and mayor of the city of Buffalo to convey by quitclaim deeds to abutting owners a strip of land lying between the present lines of Woodlawn avenue and private property adjacent thereto." (No. 15, Int. No. 5.)

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Gittins	Long	McManus	Sullivan C D	
Ferris	Harden	McClelland	Pollock	Wagner	
Fiero	Harte				12

FOR CHAUNCEY M. DEPEW.

Bussey	Hamilton	Hinman	Ormrod	Wainwright	
Coats	Heacock	Newcomb	Sage		9

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR MARTIN W. LITTLETON.

Burd	1

FOR MARTIN H. GLYNN.

Duhamel	1

FOR JOHN D. KERNAN.

White	1

FOR M. J. O'BRIEN.

Loomis	1

When the roll was called the following pairs were announced: Mr. Allen with Mr. Black; Mr. Argetsinger with Mr. Cronin; Mr. Brackett with Mr. Cullen; Mr. Emerson with Mr. Frawley; Mr. Griffith with Mr. Grady; Mr. Hewitt with Mr. Griffin; Mr. Platt with Mr. Murtaugh; Mr. Rose with Mr. O'Brien; Mr. Thomas with Mr. Ramsperger; Mr. Travis with Mr. Sanner; Mr. Walters with Mr. Stilwell.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gregg	Manley	Patrie	
Boylan	Fitzpatrick	Hackett	McCue	Seeley	
Brennan	Foley	Hearn	McElligott	Sheide	
Bush	Frisbie	Herrick J J	McGrath	Smith A E	
Carew	Geatons	Herrick W R	McKeon	Turley	
Caughlan	Gerhardt	Heyman	Monczynski	Walker	
Collin	Gillen	Hoey	Neupert	Warren	
Cuvillier	Goldberg	Jackson	Oliver	Weil	
Dawson	Goldstein	Jameson	O'Neill J J	Wende	
Donnelly	Gould	Levy A J	O'Neil M A	Zorn	
Donovan	Graubard	Levy J	Parker A		54

FOR CHAUNCEY M. DEPEW.

Adler	Cross	Hinman	Nolan	Talmage	
Ahern	DeLano	Hoff	Pappert	Thorn	
Allen	Ebbetts	Jones	Parker J S	Ward	
Brereton	Filley	Lansing	Phillips C W	Waters F A	
Brooks	Goodwin	Lent	Pierce	Waters R B	
Butler	Gray	Lincoln	Shannon	White	
Cheney	Haines	Macdonald	Shepardson	Wilson	
Coffey	Hammond	MacGregor	Smith T K	Winters	
Colne	Hart	Merritt	Stivers	Yale	
Constantine	Higgins	Murray	Sullivan	Yeomans	50

FOR EDWARD M. SHEPARD.

Beach	Friedman	Huber	Terry	Wheeler	
Drummond	Fry				7

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN W. LITTLETON.

Hollmann Hoyt 2

FOR MARTIN H. GLYNN.

O'Connor Saunders 2

FOR JOHN D. KERNAN.

Brace Cosad Martin Myers Trombly
Bridenbecker Day Miller 8

FOR J. C. R. TAYLOR.

Evans 1

FOR WILLIAM SULZER.

Kennedy 1

FOR M. J. O'BRIEN.

Shortt 1

When the roll was called the following pairs were announced: Mr. Egan with Mr. Baumes; Mr. Farrell with Mr. Connell; Mr. Gerken with Mr. Goodman; Mr. Gurnett with Mr. Keys; Mr. LaReau with Mr. Kopp; Mr. Mork with Mr. Shea; Mr. Schifferdecker with Mr. Shlivek; Mr. Spielberg with Mr. Sweet; Mr. Washburn with Mr. Young.

Whole number of votes cast..... 154
Necessary to a choice..... 78

	Senators.	Assemblymen.	Total.
For William F. Sheehan	12	54	66
For Chauncey M. Depew	9	50	59
For Edward M. Shepard.....	2	7	9
For Alton B. Parker	0	1	1
For Martin W. Littleton	1	2	3
For Martin H. Glynn	1	2	3
For John W. Kernan	1	8	9
For M. J. O'Brien	1	1	2
For J. C. R. Taylor	0	1	1
For William Sulzer	0	1	1

A quorum of all the Senators and Members of Assembly being present and voting, and no person having received a majority of all the votes cast, the President of the Senate announced that no

choice had been made for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. A. E. Smith, the joint assembly took a recess until Tuesday, February 7th, at twelve o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, and that no person having received a majority of all the votes cast, no choice had been made, and that the joint assembly had adjourned to meet to-morrow at twelve o'clock noon in the Assembly Chamber.

Mr. Speaker: A short time since I had the pleasure of introducing to the House the Republican Governor of the State of Minnesota. This morning it gives be pleasure to present to the House a former Governer of the State of North Carolina, ex-Governor Glenn.

Governor Glenn: Gentlemen of the House of Representatives of the State of New York:— It gives me a great deal of pleasure to meet you this morning. This is an unexpected honor to me as I was simply passing through your city, stopping over for a few hours, and came up to see the Senate and House of Representatives, elect a Democratic Senator for the United States of America. But it is a great honor and a great pleasure, for perhaps I will tell you something now that you do not know, while a Son of the South, I am a Grandson of the State of New York; my mother came from the banks of the Hudson near Catskill, therefore, I do not feel altogether as a stranger, as I come back to pay a visit to my grandmother; and whether you are proud of the fact or not, the same blood flows in our veins, and we all belong to the same great Nation, and therefore I am always glad to meet and greet my brethern and kinsmen of the State of New York.

Especially am I glad to meet you to-day for the reason that while I have the greatest respect and love for my Republican friends, I happen, like the majority here, to be a Democrat, and it has been so long since the Democrats have had any power in this country, that it is a mighty happy thing once in a while to come and see a Democratic House of Representatives in the State of New York.

And while I would not for one minute try to give advice to men so much wiser and better versed in politics than myself, I cannot help being reminded of the old judge who used to be in North Carolina after the War when things were rather in a torn up condition, when any difficult matter came before him he would say to

the lawyers on both sides, "What's the use of troubling me about this matter; why don't you fellows go to one side and get together?" Why don't you Democrats go to one side and get together? and finish this question of nominating a Senator from the State of New York?

It makes no difference to us down yonder whom you nominate, because they are all good men and all true men, and all would make splendid representative Senators in the Congress of the United States. But I have been traveling lately in a great many of the States, and the eyes of the whole country are focused to-day upon the Senate and House of Representatives of the State of New York, to see that you decided this matter, and we don't want you Democrats to wait too long; we want this thing settled. We do not want anything to break the harmony now existing in the country, because in 1912 we expect to have the President of the United States a Democrat to succeed the present President, Mr. Taft.

You know this last fight was not so much a Democratic victory as a Republican rebuke, and we have got to keep our feet close together, as the baseball people say, or else the ball will slip between. We must try and redeem ourselves and redeem our pledges, and the quicker we can get together and settle on these very important issues and matters the better it will be for our party.

My friends, I thank you for the high honor you have extended to me in allowing me this opportunity. I wish you God's speed in the great work that lies before you, not only in electing a Senator, but in also adding to the resources of this great State of New York. There is no such State in all the Union, the greatest, one of the grandest and I hope I can truly say, one of the best. We are looking to you to lead us on to higher and still greater things; that patriotism will fill every heart, and that North and South and East and West there will be but one motive to guide and direct us all, and that is to do the most we can for our common country. Our one flag, and our one God. And this is my wish and hope as I bid you all Good Bye.

The bill (No. 134, Int. No. 133) entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	McDaniels	Shepardson
Ahern	Donnelly	Herrick J J	McElligott	Shortt
Allen	Donovan	Herrick W R	McGrath	Smith A E
Beach	Drummond	Heyman	McKeon	Smith T K
Blauvelt	Ebbetts	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Monczynski	Talmage
Brennan	Filley	Hoff	Murray	Terry
Brereton	Fitzpatrick	Hollmann	Myers	Thorn
Bridenbecker	Foley	Hoyt	Neupert	Trombly
Brooks	Friedman	Huber	Nolan	Turley
Bush	Fry	Jackson	O'Connor	Walker
Butler	Geatons	Jameson	Oliver	Ward
Carew	Gerhardt	Jones	O'Neill J J	Warren
Caughlan	Gillen	Kennedy	O'Neil M A	Waters F A
Chanler	Goldberg	Lansing	Pappert	Waters R B
Cheney	Goldstein	Lent	Parker A	Weil
Coffey	Goodwin	Levy A J	Parker J S	Wende
Collin	Gould	Levy J	Patrie	Wheeler
Colné	Graubard	Lincoln	Phillips C W	White
Constantine	Gray	Macdonald	Pierce	Wilson
Cosad	Gregg	MacGregor	Saunders	Winters
Cross	Hackett	Manley	Seeley	Yale
Cuvillier	Haines	Martin	Shannon	Yeomans
Dawson	Hart	McCue	Sheide	Zorn
Day	Hammond			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 4, Int. No. 4) entitled "An act to amend chapter one hundred and seventy-six of the Laws of nineteen hundred and five, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon, and authorizing such city to raise money therefor by the issue of bonds,'" was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	McElligott	Shepardson
Ahern	Donnelly	Herrick J J	McGrath	Shortt
Allen	Donovan	Herrick W R	McKeon	Smith A E
Beach	Drummond	Heyman	Merritt	Smith T K
Blauvelt	Ebbetts	Higgins	Miller	Stivers
Boylan	Evans	Hinman	Monczynski	Sullivan
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hoff	Myers	Terry
Brereton	Fitzpatrick	Hollmann	Neupert	Thorn
Bridenbecker	Foley	Hoyt	Nolan	Trombly
Brooks	Friedman	Huber	O'Connor	Turley
Bush	Fry	Jackson	Oliver	Walker
Butler	Geatons	Jameson	O'Neill J J	Ward
Carew	Gerhardt	Jones	O'Neil M A	Warren
Caughlan	Gillen	Kennedy	Pappert	Waters F A
Chanler	Goldberg	Lansing	Parker A	Waters R B
Cheney	Goldstein	Lent	Parker J S	Weil
Coffey	Goodwin	Levy A J	Patrie	Wende
Collin	Gould	Levy J	Phillips C W	Wheeler
Colné	Graubard	Lincoln	Pierce	White
Constantine	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Winters
Cross	Hackett	Manley	Seeley	Yale
Cuvillier	Haines	Martin	Shannon	Yeomans
Dawson	Hart	McCue	Sheide	Zorn
Day	Hammond	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 6, Int. No. 6) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the annual budget of the board of education," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	McElligott	Shepardson
Ahern	Donnelly	Herrick J J	McGrath	Shortt
Allen	Donovan	Herrick W R	MeKcon	Smith A E
Beach	Drummond	Heyman	Merritt	Smith T K
Blauvelt	Ebbetts	Higgins	Miller	Stivers
Boylan	Evans	Hinman	Monczynski	Sullivan
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hoff	Myers	Terry
Brereton	Fitzpatrick	Hollmann	Neupert	Thorn
Bridenbecker	Foley	Hoyt	Nolan	Trombly
Brooks	Friedman	Huber	O'Connor	Turley
Bush	Fry	Jackson	Oliver	Walker
Butler	Geatons	Jameson	O'Neill J J	Ward
Carew	Gerhardt	Jones	O'Neil M A	Warren
Caughlan	Gillen	Kennedy	Pappert	Waters F A
Chanler	Goldberg	Lansing	Parker A	Waters R B
Cheney	Goldstein	Lent	Parker J S	Weil
Coffey	Goodwin	Levy A J	Patrie	Wende
Collin	Gould	Levy J	Phillips C W	Wheeler
Colne	Graubard	Lincoln	Pierce	White
Constantine	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Winters
Cross	Hackett	Manley	Seeley	Yale
Cuvillier	Haines	Martin	Shannon	Yeomans
Dawson	Hart	McCue	Sheide	Zorn
Day	Hammond	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 35, Int. No. 35) entitled "An act to authorize the city of Kingston to borrow money for street improvements and issue bonds therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	McElligott	Shortt
Ahern	Donnelly	Herrick J J	McGrath	Smith A E
Allen	Donovan	Herrick W R	McKeon	Smith T K
Beach	Drummond	Heyman	Merritt	Stivers
Blauvelt	Ebbetts	Higgins	Miller	Sullivan
Boylan	Evans	Hinman	Monczynski	Sweet

Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hoff	Myers	Terry
Brereton	Fitzpatrick	Hollmann	Neupert	Thorn
Bridenbecker	Foley	Hoyt	Nolan	Trombly
Brooks	Friedman	Huber	O'Connor	Turley
Bush	Fry	Jackson	Oliver	Walker
Butler	Geatons	Jameson	O'Neil J J	Ward
Carew	Gerhardt	Jones	O'Neil M A	Warren
Caughlan	Gillen	Kennedy	Pappert	Waters F A
Chanler	Goldberg	Lansing	Parker A	Waters R B
Cheney	Goldstein	Lent	Parker J S	Weil
Coffey	Goodwin	Levy A J	Patrie	Wende
Collin	Gould	Levy J	Phillips C W	Wheeler
Colné	Graubard	Lincoln	Pierce	White
Constantine	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Winters
Cross	Hackett	Manley	Seeley	Yale
Cuvillier	Haines	Martin	Shannon	Yeomans
Dawson	Hart	McCue	Sheide	Zorn
Day	Hammond	McDaniels	Shepardson	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 36, Int. No. 36) entitled "An act to authorize the city of Kingston to borrow money for the acquisition of a site and the construction of a building for city purposes," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	McElligott	Shlivek
Ahern	Donnelly	Herrick J J	McGrath	Shortt
Allen	Donovan	Herrick W R	McKeon	Smith A E
Beach	Drummond	Heyman	Merritt	Smith T K
Blauvelt	Ebbetts	Higgins	Miller	Stivers
Boylan	Evans	Hinman	Monczynski	Sullivan
Brace	Fay	Hoey	Murray	Sweet
Brennan	Filley	Hoff	Myers	Talmage
Brereton	Fitzpatrick	Hollmann	Neupert	Terry
Bridenbecker	Foley	Hoyt	Nolan	Thorn
Brooks	Friedman	Huber	O'Connor	Trombly
Bush	Fry	Jackson	Oliver	Turley
Butler	Geatons	Jameson	O'Neill J J	Walker
Carew	Gerhardt	Jones	O'Neil M A	Ward
Caughlan	Gillen	Kennedy	Pappert	Warren
Chanler	Goldberg	Lansing	Parker A	Waters F A
Cheney	Goldstein	Lent	Parker J S	Waters R B

Coffey	Goodwin	Levy A J	Patrie	Weil
Collin	Gould	Levy J	Phillips C W	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yale
Cuvillier	Hart	McCue	Sheide	Yeomans
Dawson	Hammond	McDaniels	Shepardson	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 76, Int. No. 5) entitled "An act relative to the paving of West Lincoln avenue and West First street, as widened, from Eleventh avenue to the New York city line, in the city of Mount Vernon," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	McElligott	Shlivek
Ahern	Donnelly	Herrick J J	McGrath	Shortt
Allen	Donovan	Herrick W R	McKeon	Smith A E
Beach	Drummond	Heyman	Merritt	Smith T K
Blauvelt	Ebbetts	Higgins	Miller	Stivers
Boylan	Evans	Hinman	Monczynski	Sullivan
Brace	Fay	Hoey	Murray	Sweet
Brennan	Filley	Hoff	Myers	Talmage
Brereton	Fitzpatrick	Hollmann	Neupert	Terry
Bridenbecker	Foley	Hoyt	Nolan	Thorn
Brooks	Friedman	Huber	O'Connor	Trombly
Bush	Fry	Jackson	Oliver	Turley
Butler	Geatons	Jameson	O'Neill J J	Walker
Carew	Gerhardt	Jones	O'Neil M A	Ward
Caughlan	Gillen	Kennedy	Pappert	Warren
Chanler	Goldberg	Lansing	Parker A	Waters F A
Cheney	Goldstein	Lent	Parker J S	Waters R B
Coffey	Goodwin	Levy A J	Patrie	Weil
Collin	Gould	Levy J	Phillips C W	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yale
Cuvillier	Hart	McCue	Sheide	Yeomans
Dawson	Hammond	McDaniels	Shepardson	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Pursuant to notice, Mr. Cuvillier called up his resolution in relation to a special session of Congress for the consideration of the tariff.

Debate was had thereon.

Mr. Murray moved to amend as follows:

After the introductory word "Whereas" strike out all that follows and insert:

William Howard Taft, President of the United States began his administration at a time of financial depression, now happily passed, and when a large number of people were out of employment, now employed at the American scale of wages; and,

Whereas, As soon after his inauguration as possible, the President called an extra session of the Congress of the United States to revise the tariff; and,

Whereas, William Howard Taft, President of the United States recommended to Congress a revision of the tariff downward, so that the tariff rate would equal the difference between the cost of production abroad and at home plus a reasonable profit; and,

Whereas, Congress sat many months taking testimony, debating and framing said revision of the tariff; and,

Whereas, During all of said time the normal resumption of business and the employment of labor were jeopardized by long suspense; and,

Whereas, It was demanded by the public press and by the people generally throughout the country that Congress enact the new tariff law without further delay; and,

Whereas, Said tariff bill contains many new and highly desirable provisions, to-wit, among them; one that permits the President of the United States under the maximum and minimum clause to enter into reciprocity agreements with other countries, and further provides for a commission to investigate such further revisions and changes, in said tariff law, as may be found necessary from time to time; and,

Whereas, Said tariff law contains about two thousand schedules and cannot be intelligently, scientifically or satisfactorily revised as a whole by the committees of Congress or by Congress itself; and,

Whereas, The tariff of Germany and Japan both conceded to be the most scientific tariff laws in the world, have been compiled by commissions of experts after years of investigation and study; and,

Whereas, The President of the United States has recommended to Congress the appointing of a tariff board whose duties it will be to make proper investigations and to ascertain all necessary and material facts to be furnished to Congress from time to time for the equitable, just and proper revision of said tariff; and,

Whereas, The President has negotiated a reciprocity agreement with Canada now before Congress which, if accepted, will greatly reduce the cost of all food stuffs and other necessities of life in this country; and,

Whereas, The entire Administration of William Howard Taft has shown him to be one of the foremost statesman of his day, a patriotic American and a great President having at heart the welfare of all the people of the country, the glory and prestige of the United States among the nations of the world; therefore, be it

Resolved, That the Legislature of the State of New York (if the Senate concur) urge upon the Congress of the United States the appointment of the tariff board recommended by the President, the acceptance and ratification of the reciprocity agreement with Canada and the fortification of the Panama canal; and, be it further

Resolved, That the Legislature of the State of New York (if the Senate concur) extends to the President of the United States its sincere congratulations upon his nomination of Chief Justice White, as Chief Justice of the United States Supreme Court and further congratulates him upon his wise and most excellent recommendations to Congress and further congratulates him upon the peace and prosperity of his administration; and, be it further

Resolved, That the President of the Senate and the Speaker of the Assembly transmit a copy of these resolutions to the President of the United States, the Senate of the United States and the House of Representatives.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 46
NOES 76

Those who voted in the affirmative were:

Adler	Constantine	Hammond	Merritt	Smith T K
Ahern	Cross	Higgins	Murray	Stivers
Allen	DeLano	Hinman	Nolan	Thorn
Brooks	Ebbetts	Hoff	Pappert	Ward
Bryant	Filley	Jones	Parker J S	White
Butler	Goodwin	Lansing	Phillips C W	Wilson
Cheney	Gray	Lent	Pierce	Winters
Coffey	Haines	Lincoln	Shannon	Yale
Colné	Hart	Macdonald	Shepardson	Yeomans
Connell				

Those who voted in the negative were:

Beach	Drummond	Gregg	Martin	Patrie
Blauvelt	Evans	Hackett	McCue	Saunders
Boylan	Farrell	Hearn	McDaniels	Schifferdecker
Brace	Fay	Herrick J J	McElligott	Seeley
Brennan	Fitzpatrick	Herrick W R	McGrath	Sheide
Bridenbecker	Foley	Heyman	McKeon	Smith A E
Bush	Friedman	Hoey	Miller	Terry
Carew	Fry	Hollmann	Monczynski	Trombly
Caughlan	Geatons	Hoyt	Myers	Turley
Collin	Gerhardt	Huber	Neupert	Walker
Cosad	Gillen	Jackson	O'Connor	Warren
Cuvillier	Goldberg	Kennedy	Oliver	Weil
Dawson	Goldstein	Levy A J	O'Neill J J	Wende
Day	Gould	Levy J	O'Neil M A	Wheeler
Donnelly	Graubard	Manley	Parker A	Zorn
Donovan				

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

AYES 76
NOES 47

Those who voted in the affirmative were:

Beach	Drummond	Gregg	Martin	Patrie
Blauvelt	Evans	Hackett	McCue	Saunders
Boylan	Farrell	Hearn	McDaniels	Schifferdecker
Brace	Fay	Herrick J J	McElligott	Seeley
Brennan	Fitzpatrick	Herrick W R	McGrath	Sheide
Bridenbecker	Foley	Heyman	McKeon	Smith A E
Bush	Friedman	Hoey	Miller	Terry
Carew	Fry	Hollmann	Monczynski	Trombly
Caughlan	Geatons	Hoyt	Myers	Turley
Collin	Gerhardt	Huber	Neupert	Walker
Cosad	Gillen	Jackson	O'Connor	Warren
Cuvillier	Goldberg	Kennedy	Oliver	Weil
Dawson	Goldstein	Levy A J	O'Neill J J	Wende
Day	Gould	Levy J	O'Neil M A	Wheeler
Donnelly	Graubard	Manley	Parker A	Zorn
Donovan				

Those who voted in the negative were:

Adler	Constantine	Higgins	Murray	Stivers
Ahern	Cross	Hinman	Nolan	Thorn
Allen	DeLano	Hoff	Pappert	Ward
Brooks	Ebbetts	Jones	Parker J S	Waters F A
Bryant	Filley	Lansing	Phillips C W	White
Butler	Goodwin	Lent	Pierce	Wilson
Cheney	Gray	Lincoln	Shannon	Winters
Coffey	Haines	Macdonald	Shepardson	Yale
Colné	Hart	Merritt	Smith T K	Yeomans
Connell	Hammond			

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Goodwin offered for the consideration of the House a resolution, in the words following:

Concurrent resolution of the Senate and Assembly in relation to the appointment of a commission to investigate the cases of the increase of pulmonary tuberculosis in the State and to recommend remedial measures and legislation to arrest the same.

Whereas, Throughout this United States and especially in the State of New York charitable persons and associations are exerting every effort to devise and provide remedial means whereby the spread of pulmonary tuberculosis and its attendant ravages may be checked and the alarming death rate resultant therefrom may be minimized; and,

Whereas, Up to the present time the State of New York has not officially recognized the noble efforts of the aforesaid persons and associations; and,

Whereas, In a great number of States of the Union and in some of the foreign countries, the commonwealth and governments thereof have officially taken up the question of arresting the spread of this disease; therefore, be it

Resolved (if the Senate concur), That the sum of $10,000 be appropriated and set aside for the use and expenses of a commission consisting of three Members of Assembly, to be appointed by the Speaker; two Senators, to be appointed by the President of the Senate; the State Commissioner of Health and one citizen member, who shall be a regularly licensed physician, to be appointed by the Governor, be and they are hereby appointed to investigate the conditions of the State in reference to the rapid increase of pulmonary tuberculosis and to recommend remedial measures and legislation to arrest the same, and that the aforesaid commission submit a report in writing of the result of its investigation to the Legislature at a date not later than January 15, 1912.

which was referred to the committee on ways and means.

Mr. Manley offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly five hundred extra copies of Assembly bill (No. 244, Int. No. 242), entitled "An act to provide for the expiration of the terms of office of the civil engineers appointed to act as an advisory board of consulting engineers, pursuant to the provisions of chapter one hundred and forty-seven of the Laws of nineteen hundred and three."

which was referred to the committee on public printing.

Mr. Manley offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly five hundred extra copies of Assembly bill (No. 205, Int. No. 204), entitled 'An act to amend chapter four hundred and thirty-eight of the Laws of nineteen hundred and nine, entitled 'An act authorizing an inquiry into the question as to providing terminal facilities on the canals of this State, with a view of ultimately improving and fostering the commerce of the State, and making an appropriation therefor,' in relation to the membership of the commission created thereby."

which was referred to the committee on public printing.

Mr. McCue hereby gives notice that on Monday, February 13th, he will call up the resolution introduced by him on Monday, January 30th, in reference to the explosion in the yards of the New York Central and Hudson River Railroad Company in the city of New York on December 19, 1910.

Mr. Bush hereby gives notice that he will call up his resolution in regard to Parcels Post legislation on Monday, February 13th, the previous notice not complying with the rule in regard to length of time required for this notice.

On motion of Mr. A. E. Smith, the House adjourned until Tuesday, February 7th, at 11 o'clock A. M.

TUESDAY, FEBRUARY 7, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Egan	Higgins	Monczynski	Spielberg
Ahern	Evans	Hinman	Mork	Stivers
Allen	Farrell	Hoey	Murray	Sullivan
Baumes	Fay	Hoff	Myers	Sweet
Blavelt	Filley	Hollmann	Neupert	Talmage
Boylan	Fitzpatrick	Hoyt	Nolan	Terry
Brace	Foley	Huber	O'Connor	Thorn
Brereton	Friedman	Jackson	Oliver	Trombly
Bridenbecker	Fry	Jameson	O'Neill J J	Walker
Brown	Geatons	Jones	O'Neil M A	Ward
Bryant	Gerhardt	Kennedy	Pappert	Waring
Bush	Gerken	Keys	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	Lent	Phillips C W	Waters F A
Caughlan	Goldstein	Levy A J	Pierce	Waters R B
Coffey	Goodwin	Levy J	Saunders	Weil
Collin	Gould	Lincoln	Schifferdecker	Wende
Connell	Gray	Macdonald	Seeley	Wheeler
Constantine	Gregg	MacGregor	Shannon	White
Cosad	Gurnett	Manley	Shea	Wilson
Cross	Hackett	Martin	Sheide	Winters
Cuvillier	Haines	McDaniels	Shepardson	Yale
Dawson	Hart	McGrath	Shlivek	Yeomans
Day	Hammond	McKeon	Shortt	Young
Donnelly	Hearn	Merritt	Smith A E	Zorn
Drummond	Herrick J J	Miller	Smith T K	Speaker
Ebbetts				

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented the Tenth Annual Report of the Commissioner of Labor, which was laid upon the table and ordered printed.

(See Assembly Document No. 26.)

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter one hundred and three of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Ulster county a salaried office and regulating the management of said office,' in relation to the number and salaries of the clerks thereof" (No. 70, Rec. No. 6), which was read the first time and referred to the committee on internal affairs.

"An act to authorize the city of Kingston to borrow money for the acquisition of a site and the construction of a building for city purposes" (No. 14, Rec. No. 7), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the city of Kingston to borrow money for street improvements and issue bonds therefor" (No. 13, Rec. No. 8), which was read the first time and referred to the committee on affairs of cities.

"An act making appropriations for certain immediate expenses of the Legislature, and providing for deficiencies in former appropriations therefor" (No. 160, Rec. No. 9), which was read the first time and referred to the committee on ways and means.

"An act to reappropriate certain unexpended balances for the State Commission in Lunacy" (No. 135, Rec. No. 10), which was read the first time and referred to the committee on ways and means.

"An act to amend chapter one hundred and fifteen of the Laws of nineteen hundred and nine, entitled 'An act authorizing the city of Buffalo to construct, equip and maintain a municipal hospital or hospitals either within or outside the limits of said city, for the exclusive care and treatment of persons affected with incipient tuberculosis, and authorizing said city to acquire lands for such purposes and to borrow money therefor by the issue of bonds,' increasing the aggregate amount which said city may borrow for such purposes" (No. 43, Rec. No. 11), which was read the first time and referred to the committee on affairs of cities.

Mr. Boylan introduced a bill entitled "An act to amend the Greater New York charter, in relation to the establishment of day nurseries and the acquisition of land and buildings therefor" (Int. No. 380), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the General City Law, in relation to the registration of retail butchers" (Int. No. 381), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the General City Law, in relation to elevators in cities of the first class" (Int. No. 382), which was read the first time and referred to the committee on affairs of cities.

Mr. Cheney introduced a bill entitled "An act to repeal chapter two hundred and twenty-nine of the Laws of eighteen hundred and seventy-nine, entitled 'An act in reference to the collection of taxes

in the counties of Chautauqua and Cattaraugus,' and the acts amendatory thereof, so far as such acts are applicable to Cattaraugus county" (Int. No. 383), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the County Law, in relation to the appointment of a journal clerk and necessary assistant clerks by a board of supervisors" (Int. No. 384), which was read the first time and referred to the committee on internal affairs.

Mr. DeLano introduced a bill entitled "An act to amend chapter four hundred and seventy-nine of the Laws of eighteen hundred and ninety-five, entitled 'An act to establish a police and fire department in the village of Canastota, Madison county,' in relation to the compensation of the chief of police, policemen and special patrolmen" (Int. No. 385), which was read the first time and referred to the committee on affairs of villages.

Mr. Ebbets introduced a bill entitled "An act to amend the Real Property Law, in relation to legalizing the record of certain deeds" (Int. No. 386), which was read the first time and referred to the committee on general laws.

Mr. Filley introduced a bill entitled "An act to amend section sixty, chapter fifty-five of the Laws of nineteen hundred and nine, being the Second Class Cities Law, entitled 'An act in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws,' relating to temporary and funded debts, as amended by chapter six hundred and ninety-two of the Laws of nineteen hundred and ten" (Int. No. 387), which was read the first time and referred to the committee on affairs of cities.

Mr. Graubard introduced a bill entitled "An act to increase the salaries of the clerk of records and the record clerks of the surrogate's court of the county of New York" (Int. No. 388), which was read the first time and referred to the committee on affairs of cities.

Mr. J. J. Herrick introduced a bill entitled "An act to amend the Penal Code, in relation to persons or corporations loaning money on salaries" (Int. No. 389), which was read the first time and referred to the committee on codes.

Mr. Hoey introduced a bill entitled "An act to amend the Penal Law by providing for the punishment of members of either House

of the Legislature, for failure to make known any offer of a bribe made to them" (Int. No. 390), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Insurance Law by prohibiting rebating and discrimination in relation to premiums paid for fire insurance" (Int. No. 391), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law by providing that no commissions are to be paid agents or brokers for fire insurance unless they are authorized by a certificate of authority to transact a fire insurance business" (Int. No. 392), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law by providing that persons, associations and corporations doing a fire insurance business in this State shall report the amounts at risk in congested value districts" (Int. No. 393), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law by providing for the regulation and supervision of rate making associations" (Int. No. 394), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, providing that those county and town co-operative associations which, prior to July first, nineteen hundred and ten, were issuing policies of insurance on mercantile and manufacturing risks in amounts not to exceed four thousand dollars may continue to issue such insurance" (Int. No. 395), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the organization of persons, partnerships or associations engaging in the business of insurance of Lloyds or inter-insurance, and to permit the admission of Lloyds of other States, and to provide for the forwarding of process by the Superintendent of Insurance" (Int. No. 396), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law by providing for the admission of certain mutual fire insurance corporations of other States" (Int. No. 397), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law by providing for a notice to be printed on the cover of policies of mutual fire insurance companies and in relation to the conditions which may be indorsed upon the standard fire insurance policy" (Int. No. 398), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, so as to permit licensed agents to issue and countersign policies to cover surplus line insurance" (Int. No. 399), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to establishing the office of State fire marshal, defining his powers and duties, and providing for his compensation and the maintenance of his office" (Int. No. 400), which was read the first time and referred to the committee on insurance.

Mr. J. Levy introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to court attendants therein, and investing in them the powers of a peace officer" (Int. No. 401), which was read the first time and referred to the committee on the judiciary.

Mr. McCue introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to transfer of hotel licenses" (Int. No. 402), which was read the first time and referred to the committee on excise.

Mr. Patrie, by request, introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to the issuance of free passes, or franks, by telephone or telegraph companies" (Int. No. 403), which was read the first time and referred to the committee on general laws.

Mr. Pierce introduced a bill entitled "An act to amend the Railroad Law, in relation to the expense of alteration of railroad crossings in villages" (Int. No. 404), which was read the first time and referred to the committee on railroads.

Mr. Schifferdecker introduced a bill entitled "An act to release to Emil Riese all the right, title and interest of the people of the State of New York in and to certain real estate in the borough of Brooklyn, city of New York, county of Kings and State of New York" (Int. No. 405), which was read the first time and referred to the committee on ways and means.

Mr. McKeon introduced a bill entitled "An act to amend the Greater New York charter, in relation to partial payments of certain taxes in arrears in the city of New York" (Int. No. 406), which was read the first time and referred to the committee on affairs of cities.

Mr. Spielberg introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to bail in felony cases" (Int. No. 407), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to bail in felony cases" (Int. No. 408), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to bail in felony cases" (Int. No. 409), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to bail in felony cases" (Int. No. 410), which was read the first time and referred to the committee on codes.

Mr. Boylan introduced a bill entitled "An act to amend chapter one hundred and nine of the Laws of nineteen hundred and six, entitled 'An act to terminate the use of streets, avenues and public places in the city of New York, in the borough of Manhattan, by railroads operated by steam locomotive power at grade,' in relation to the removal of tracks" (Int. No. 411), which was read the first time and referred to the committee on affairs of cities.

Mr. Spielberg introduced a bill entitled "An act to amend the General Business Law, in relation to fire protection in theatres and other public places" (Int. No. 412), which was read the first time and referred to the committee on general laws.

Mr. Thorn introduced a bill entitled "An act authorizing the Commissioners of the Land Office to complete the sale by grant and conveyance of certain unappropriated State lands" (Int. No. 413), which was read the first time and referred to the committee on ways and means.

Mr. Cuvillier introduced a bill entitled "An act to provide for a monument in the city of New York to commemorate the deeds of the soldiers of the Sixty-third, Sixty-ninth and the Eighty-eighth Regiments of New York Volunteer Infantry, Meagher's

Irish Brigade, which served in the War of the Rebellion from eighteen hundred and sixty-one to eighteen hundred and sixty-five, and to make an appropriation therefor" (Int. No. 414), which was read the first time and referred to the committee on ways and means.

Mr. Pierce introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the taking of hares and rabbits in Wyoming county" (Int. No. 415), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Hoey introduced a bill entitled "An act to amend the Insurance Law, in relation to the reinsurance of life insurance corporations" (Int. No. 416), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law to prohibit the making of any misleading representations concerning or incomplete comparison of life insurance policies" (Int. No. 417), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the character of the automobile indemnity which may be assumed by fire and marine insurance corporations" (Int. No. 418), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the assets and liabilities of casualty insurance corporations doing an employers' liability insurance business" (Int. No. 419), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, relative to proceedings against and the liquidation of delinquent insurance corporations" (Int. No. 420), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to fraternal beneficiary societies, orders and associations" (Int. No. 421), which was read the first time and referred to the committee on insurance.

Mr. Yale introduced a bill entitled "An act making an appropriation for highway improvement in completing certain portions

of route number one" (Int. No. 422), which was read the first time and referred to the committee on ways and means.

Mr. Patrie introduced a bill entitled "An act to repeal chapter four hundred and forty-four of the Laws of nineteen hundred and ten, entitled 'An act to establish a public school teachers' retirement fund in Greene county,' and to provide for the distribution of moneys heretofore paid into said fund" (Int. No. 423), which was read the first time and referred to the committee on public education.

Mr. A. E. Smith introduced a bill entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the selection of grand jurors" (Int. No. 424), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Judiciary Law, in relation to jurors in New York county" (Int. No. 425), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Judiciary Law, in relation to jurors in New York county" (Int. No. 426), which was read the first time and referred to the committee on the judiciary.

Mr. Shea introduced a bill entitled "An act to ratify, confirm and legalize the proceedings of the village of Bloomingdale in the county of Essex in the matter of the issuance, sale and award of its bonds in the amount of fifteen thousand dollars for the purpose of supplying said village and its inhabitants with pure and wholesome water, to legalize said bonds and to provide for the payment of the interest and principal thereof" (Int. No. 427), which was read the first time and referred to the committee on affairs of villages.

Mr. C. W. Phillips introduced a bill entitled "An act to amend the Labor Law, in relation to applying to certain employees in State institutions certain provisions of such law prescribing hours of labor" (Int. No. 428), which was read the first time and referred to the committee on labor and industries.

Mr. Goldberg introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to actions for violation of liquor

dealer's bond" (Int. No. 429), which was read the first time and referred to the committee on excise.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Hollmann (No. 58, Int. No. 59), entitled "An act to legalize the establishment of the Roslyn water district in the town of North Hempstead, and the issuance and sale of the bonds of said town to install a water plant in said district, and to provide for the payment of said bonds."

Also, the bill introduced by Mr. Goodwin (No. 212, Int. No. 211), entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages."

Also, the bill introduced by Mr. Coffey (No. 7, Int. No. 7), entitled "An act to legalize, ratify and confirm the proceedings of the qualified voters and town board of the town of Eastchester, in the county of Westchester, the officers and agents thereof, and the proceedings of the board of supervisors of said county, in the matter of the sale and award of the bonds of said town in the amount of five thousand three hundred dollars, and to provide for the payment of the interest and principal thereof."

Also, the bill introduced by Mr. Macdonald (No. 70, Int. No. 71), entitled "An act to legalize the issue of bonds of the town of Chateaugay in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of completing the erection of a town house in said town, and to provide for the payment of the principal and interest thereof."

Also, the bill introduced by Mr. Goodwin (No. 11, Int. No. 11), entitled "An act to authorize the board of education of union free school district number four of the town of Rye, in the county of Westchester, to issue certificates of indebtedness for unpaid school taxes, and to provide for the payment of such certificates."

Also, the bill introduced by Mr. Washburn (No. 107, Int. No. 107), entitled "An act to amend chapter one hundred and three of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Ulster county a salaried office and regulating the management of said office,' in relation to the number and salaries of the clerks thereof," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to legalize, ratify and confirm the proceedings of the village of Cherry Creek in the county of Chautauqua, in the matter of raising the sum of thirty thousand dollars for the construction of a pressure water system for said village; to legalize, ratify and confirm the sale and issuance of the bonds of said village in the amount of twenty-five thousand dollars of said sum; to authorize the sale and issuance of the bonds of said village for the balance thereof; and to provide for the payment of the interest and principal of said bonds." (No. 73, Int. No. 74.)

"An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Niagara county, and abolishing the office of commissioner of jurors in such county." (No. 201, Int. No. 200.)

"An act to provide for the submission of a proposition to the taxpayers of the village of Silver Creek to determine whether the expense, within certain limits, of maintaining a building for public purposes to be conveyed to the Silver Creek Memorial Association, herein incorporated, shall be borne by said village, and to regulate the management and control of said building." (No. 111, Int. No. 110.)

"An act to amend the Executive Law, in relation to the expenses incurred by the Attorney-General in attending at any term of the Supreme Court or appearing before the grand jury thereof." (No. 130, Int. No. 129.)

"An act to incorporate the American Jewish Committee." (No. 251, Int. No. 250.)

The hour of 11.30 o'clock now having arrived, Mr. Speaker announced that pursuant to law and agreeable to a joint resolution of the Senate and Assembly, the Assembly would now proceed to nominate a candidate for the office of Regent of the University in place of Edward Lauterbach of the borough of Manhattan, city and county of New York, whose term of office will expire on the 31st day of March, 1911.

Whereupon in open session, each member, as his name was called by the Clerk, rose in his place and by viva voce vote named

the following for Regent of the University in place of Edward Lauterbach.

FOR ABRAM I. ELKUS.

Beach	Egan	Gregg	McCue	Schifferdecker
Blauvelt	Evans	Gurnett	McDaniels	Seeley
Boylan	Farrell	Hackett	McElligott	Sheide
Brace	Fay	Hearn	McGrath	Shortt
Brennan	Fitzpatrick	Herrick J J	McKeon	Smith A E
Bridenbecker	Foley	Heyman	Miller	Spielberg
Bush	Friedman	Hoey	Monczynski	Terry
Carew	Frisbie	Hollmann	Mork	Trombly
Caughlan	Fry	Hoyt	Myers	Turley
Chanler	Geatons	Huber	Neupert	Walker
Collin	Gerhardt	Jackson	Oliver	Warren
Cosad	Gerken	Jameson	O'Neill J J	Washburn
Cuvillier	Gillen	Kennedy	O'Neil M A	Weil
Dawson	Goldberg	Levy A J	Parker A	Wende
Day	Goldstein	Levy J	Patrie	Wheeler
Donnelly	Gould	Manley	Saunders	Zorn
Drummond	Graubard	Martin		83

FOR EDWARD LAUTERBACH.

Adler	Constantine	Hoff	Pappert	Talmage
Ahern	Cross	Jones	Parker J S	Thorn
Allen	DeLano	Keys	Phillips C W	Ward
Baumes	Ebbetts	Kopp	Pierce	Waring
Brereton	Filley	Lansing	Shannon	Waters F A
Brooks	Goodman	Lent	Shea	Waters R B
Brown	Goodwin	Lincoln	Shepardson	White
Bryant	Gray	Macdonald	Shlivek	Wilson
Butler	Haines	MacGregor	Smith T K	Winters
Cheney	Hammond	Merritt	Stivers	Yale
Coffey	Hart	Murray	Sullivan	Yeomans
Colné	Higgins	Nolan	Sweet	Young
Connell	Hinman			62

Whole number of votes..... 145
Abram I. Elkus received..... 83
Edward Lauterbach received..... 62

A quorum of all the members elected to the Assembly having voted, and the majority having named Abram I. Elkus as their choice, Mr. Speaker declared that Abram I. Elkus of the borough of Manhattan, city and county of New York, had been duly elected on the part of the Assembly as a candidate for the office of Regent of the University for a term of twelve years to succeed Edward Lauterbach whose term of office will expire on the 31st day of March, 1911.

The hour of 12 o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the

election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Fiero	Harden	Murtaugh	Stilwell	
Black	Frawley	Harte	O'Brien	Sullivan C D	
Cronin	Gittins	Long	Pollock	Sullivan T D	
Cullen	Grady	McClelland	Ramsperger	Wagner	
Ferris	Griffin	McManus	Sanner		24

FOR CHAUNCEY M. DEPEW.

Allen	Coats	Hamilton	Platt	Travis	
Argetsinger	Cobb	Heacock	Rose	Wainwright	
Brackett	Emerson	Hewitt	Sage	Walters	
Bussey	Griffith	Ormrod	Thomas		19

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR MARTIN W. LITTLETON.

Burd	1

FOR MARTIN H. GLYNN.

Duhamel	1

FOR M. J. O'BRIEN.

Loomis	1

FOR JOHN D. KERNAN.

White	1

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gregg	McCue	Schifferdecker	
Boylan	Fitzpatrick	Gurnett	McElligott	Seeley	
Brennan	Foley	Hackett	McGrath	Sheide	
Bush	Frisbie	Hearn	McKeon	Smith A E	
Carew	Geatons	Herrick J J	Monczynski	Spielberg	
Caughlan	Gerhardt	Heyman	Mork	Turley	
Collin	Gerken	Hoey	Neupert	Walker	
Cuvillier	Gillen	Jackson	Oliver	Warren	
Dawson	Goldberg	Jameson	O'Neill J J	Washburn	
Donnelly	Goldstein	Levy A J	O'Neil M A	Weil	
Donovan	Gould	Levy J	Parker A	Wende	
Egan	Graubard	Manley	Patrie	Zorn	
Farrell					61

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hoff	Pappert	Talmage	
Ahern	Cross	Jones	Parker J S	Thorn	
Allen	DeLano	Keys	Phillips C W	Ward	
Baumes	Ebbetts	Kopp	Pierce	Waring	
Brereton	Filley	Lansing	Shannon	Waters F A	
Brooks	Goodman	Lent	Shea	Waters R B	
Brown	Goodwin	Lincoln	Shepardson	White	
Bryant	Gray	Macdonald	Shlivek	Wilson	
Butler	Haines	MacGregor	Smith T K	Winters	
Cheney	Hammond	Merritt	Stivers	Yale	
Coffey	Hart	Murray	Sullivan	Yeomans	
Colné	Higgins	Nolan	Sweet	Young	
Connell	Hinman				62

FOR EDWARD M. SHEPARD.

Beach	Drummond	Fry	Terry	Wheeler	
Chanler	Friedman	Huber			8

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN W. LITTLETON.

Hollmann Hoyt 2

FOR MARTIN H. GLYNN.

O'Connor Saunders 2

FOR JOHN D. KERNAN.

Brace	Cosad	Martin	Myers	Trombly	
Bridenbecker	Day	Miller			8

FOR M. J. O'BRIEN.

Shortt 1

FOR J. O. R. TAYLOR.

Evans 1

FOR WILLIAM SULZER.

Kennedy 1

Whole number of votes..... 196

Necessary to a choice..... 99

	Senators.	Assemblymen.	Total.
For William F. Sheehan	24	61	85
For Chauncey M. Depew	19	62	81
For Edward M. Shepard	2	8	10
For Alton B. Parker	0	1	1
For Martin W. Littleton	1	2	3

	Senators.	Assemblymen.	Total.
For Martin H. Glynn	1	2	3
For John W. Kernan	1	8	9
For M. J. O'Brien	1	1	2
For J. C. R. Taylor	0	1	1
For William Sulzer	0	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Wednesday, February 8th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Wednesday, February 8th, at 12 o'clock noon in the Assembly Chamber.

The bill (No. 120, Int. No. 119) entitled "An act to incorporate the American Scandinavian Foundation," was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate returned the bill (No. 101, Int. No. 101) entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the fire pension fund," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

On motion of Mr. A. E. Smith, the House adjourned.

WEDNESDAY, FEBRUARY 8, 1911.

The House met pursuant to adjournment.

Prayer by Rev. William F. O'Connor.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Adler introduced a bill entitled "An act to release the interest of the people of the State of New York in the estate of Mary F. Dowling, deceased, late of Chauncey, Westchester county, New York, both real and personal, to Amelia M. Frost, her heirs and assigns forever" (Int. No. 430), which was read the first time and referred to the committee on ways and means.

Mr. Bridenbecker introduced a bill entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and fifty-nine, entitled 'An act to amend the poor laws of the county of Herkimer,' in relation to the compensation of overseers of the poor" (Int. No. 431), which was read the first time and referred to the committee on general laws.

Mr. Brooks introduced a bill entitled "An act to amend the General Business Law, in relation to rate of interest to be demanded or received by a pawn broker" (Int. No. 432), which was read the first time and referred to the committee on general laws.

Mr. Brown introduced a bill entitled "An act to amend chapter forty-two of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of Cortland county a salaried office and to regulate the management of said office,' in relation to certain expenses of the sheriff" (Int. No. 433), which was read the first time and referred to the committee on internal affairs.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to the militia of the State" (Int. No. 434), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Military Law, in relation to the National Guard of the State" (Int. No. 435), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Military Law, in relation to commissioned officers of the National Guard" (Int. No. 436),

which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Military Law, in relation to enlisted men of the National Guard and Naval Militia" (Int. No. 437), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Military Law, in relation to military courts" (Int. No. 438), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Military Law, in relation to armories" (Int. No. 439), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Military Law, in relation to pay and allowances" (Int. No. 440), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Military Law, in relation to privileges, prohibitions and penalties" (Int. No. 441), which was read the first time and referred to the committee on miliary affairs.

Also, "An act to amend the Military Law, in relation to privileges, prohibitions and penalties" (Int. No. 442), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Military Law, in relation to miscellaneous provisions" (Int. No. 443), which was read the first time and referred to the committee on affairs of villages.

Mr. Goodwin introduced a bill entitled "An act to amend section three of title four of chapter eight hundred and eighteen of the Laws of eighteen hundred and sixty-eight, entitled 'An act to incorporate the village of Port Chester,' in relation to the collection of taxes in said village" (Int. No. 444), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend section six of chapter five hundred and seventeen of the Laws of eighteen hundred and ninety-nine, entitled 'An act to authorize the paving or macadamizing of streets, avenues, highways and public places in the village of Port Chester, Westchester county, and to provide for the payment of the expense of the same,' in relation to the rate of interest of cer-

tificates of indebtedness or assessment bonds therein authorized to be issued" (Int. No. 445), which was read the first time and referred to the committee on affairs of villages.

Mr. J. J. Herrick introduced a bill entitled "An act to amend the General Business Law, in relation to pawnbrokers" (Int. No. 446), which was read the first time and referred to the committee on general laws.

Mr. Higgins introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Manheim Brown against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 447), which was read the first time and referred to the committee on ways and means.

Mr. Shlivek introduced a bill entitled "An act to amend the Penal Law, in relation to persons conducting business under an assumed name" (Int. No. 448), which was read the first time and referred to the committee on codes.

Mr. Wende introduced a bill entitled "An act to legalize certain acts and proceedings of union free school district number six of the town of West Seneca, in the county of Erie, its voters, board of trustees, officers and agent, in relation to a certain tax voted and raised therein in the year nineteen hundred and ten, and authorizing the distribution of the moneys so raised" (Int. No. 448), which was read the first time and referred to the committee on public education.

Also, "An act to authorize the voters of union free school district number six of the town of West Seneca, in the county of Erie, to vote certain additional taxes and to provide for the collection of the same" (Int. No. 450), which was read the first time and referred to the committee on public education.

Also, "An act to amend the Code of Civil Procedure, in relation to actions for damages caused by negligence" (Int. No. 451), which was read the first time and referred to the committee on codes.

Mr. Yale introduced a bill entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and sixty-six, entitled 'An act to establish and incorporate the Drew Seminary and Female College, in relation to providing for chang-

ing the number of trustees" (Int. No. 452), which was read the first time and referred to the committee on the judiciary.

Mr. Lansing introduced a bill entitled "An act to amend chapter two hundred and sixty-nine of the Laws of eighteen hundred and seventy-two, entitled 'An act authorizing the construction of a bridge across the Hudson river at the city of Albany, and incorporating the "Albany and Greenbush Bridge Company,"' in relation to rates of toll to be charged by said company or its successors, including the Albany Southern Railroad Company, and the sale of tickets" (Int. No. 453), which was read the first time and referred to the committee on commerce and navigation.

Mr. Merritt introduced a bill entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes" (Int. No. 454), which was read the first time and referred to the committee on ways and means.

Mr. Kopp introduced a bill entitled "An act to amend the General Business Law, in relation to bonds heretofore filed with the State Comptroller by ticket agents under article ten thereof" (Int. No. 455), which was read the first time and referred to the committee on general laws.

Mr. Brown introduced a bill entitled "An act to amend the Highway Law, in relation to the span of bridges that may be improved by State aid" (Int. No. 456), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the County Law, in relation to the compensation of supervisors and assessors in attending meetings of the State Board of Tax Commissioners" (Int. No. 457), which was read the first time and referred to the committee on internal affairs.

Mr. McCue introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to transferring the business of trafficking in liquors from one borough to another, in the same city" (Int. No. 458), which was read the first time and referred to the committee on excise.

Mr. Egan introduced a bill entitled "An act to amend the General Business Law, in relation to the certification of public accountants" (Int. No. 459), which was read the first time and referred to the committee on general laws.

Mr. Jackson introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to the rebate on the surrender or cancellation of liquor tax certificates" (Int. No. 460), which was read the first time and referred to the committee on excise.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed to wait upon the Senate and inform that honorable body that the Assembly will be ready at the time appointed by law and concurrent resolution of Senate and Assembly to meet the Senate in joint assembly for the purpose of comparing journals in relation to the election of Regent.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. A. E. Smith and Merritt.

Senators Frawley and Hamilton, a committee on the part of the Senate, appeared before the Assembly and announced that the Senate would be ready to meet that body in joint assembly at the time prescribed by law and a concurrent resolution of the Senate and Assembly, to compare journals of the Senate and Assembly relative to the election of a Regent of the University in place of Edward Lauterbach.

Mr. A. E. Smith, from the committee appointed to inform the Senate that the Assembly would be ready to meet that body in joint assembly at the time prescribed by law and the concurrent resolution of the Senate and Assembly to compare journals, returned and reported that they had performed that duty.

The hour of 12 o'clock noon having arrived, the Senate thereupon appeared in the Assembly Chamber, whereupon the Lieutenant-Governor announced that the Senate and Assembly were in joint assembly for the purpose of electing a Regent of the University in place of Edward Lauterbach, whose term of office will expire on the 31st day of March, 1911.

The Clerk of the Senate then read the journal of the proceedings of the Senate, relating to the election of a Regent of the University. The Clerk of the Assembly then read the journal of the Assembly relating to the election of a Regent of the University.

The journals of the Senate and Assembly being found to agree on the name of Abram I. Elkus the Lieutenant-Governor announced and declared that Abram I. Elkus had been duly elected Regent of the University for a term of twelve years beginning on the 1st day of April, 1911.

On motion of Senator Wagner, the joint convention then adjourned. The Senate then retired from the Assembly Chamber.

The Speaker announced that on the joint assembly of the Senate and Assembly to compare journals of the Senate and Assembly relative to the election of a Regent of the University in place of Edward Lauterbach the journals of the two Houses were found to agree upon the name of Abram I. Elkus, the Lieutenant-Governor declared Abram I. Elkus of the borough of Manhattan, city and county of New York, elected Regent of the University for a term of twelve years beginning on the 1st day of April, 1911.

The hour of 12 o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Frawley	Harte	O'Brien	Stilwell	
Black	Gittins	Long	Pollock	Sullivan C D	
Cronin	Grady	McClelland	Ramsperger	Sullivan T D	
Ferris	Griffin	McManus	Sanner	Wagner	
Fiero	Harden	Murtaugh			23

FOR CHAUNCEY M. DEPEW.

Allen	Cobb	Heacock	Rose	Travis	
Argetsinger	Emerson	Hewitt	Sage	Wainwright	
Brackett	Griffith	Ormrod	Thomas	Walters	
Coats	Hamilton	Platt			18

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR MARTIN W. LITTLETON.

Burd	1

FOR MARTIN H. GLYNN.

Duhamel	1

FOR M. J. O'BRIEN.

Loomis					1

FOR JOHN D. KERNAN.

White					1

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gurnett	McCue	Schifferdecker	
Boylan	Fitzpatrick	Hackett	McElligott	Seeley	
Brennan	Foley	Hearn	McGrath	Sheide	
Bush	Frisbie	Herrick J J	McKeon	Smith A E	
Carew	Geatons	Herrick W R	Monczynski	Spielberg	
Caughlan	Gerhardt	Heyman	Mork	Turley	
Collin	Gerken	Hoey	Neupert	Walker	
Cuvillier	Gillen	Jackson	Oliver	Warren	
Dawson	Goldberg	Jameson	O'Neill J J	Washburn	
Donnelly	Goldstein	LaReau	O'Neil M A	Weil	
Donovan	Gould	Levy A J	Parker A	Wende	
Egan	Graubard	Levy J	Patrie	Zorn	
Farrell	Gregg	Manley			63

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hoff	Pappert	Talmage	
Ahern	Cross	Jones	Parker J S	Thorn	
Allen	DeLano	Keys	Phillips C W	Ward	
Baumes	Ebbetts	Kopp	Pierce	Waring	
Brereton	Filley	Lansing	Shannon	Waters F A	
Brooks	Goodman	Lent	Shea	Waters R B	
Brown	Goodwin	Lincoln	Shepardson	White	
Bryant	Gray	Macdonald	Shlivek	Wilson	
Butler	Haines	MacGregor	Smith T K	Winters	
Cheney	Hammond	Merritt	Stivers	Yale	
Coffey	Hart	Murray	Sullivan	Yeomans	
Colné	Higgins	Nolan	Sweet	Young	
Connell	Hinman				62

FOR EDWARD M. SHEPARD.

Beach	Drummond	Fry	Terry	Wheeler	
Chanler	Friedman	Huber			8

FOR ALTON B. PARKER.

McDaniels					1

FOR MARTIN W. LITTLETON.

Hollmann	Hoyt				2

FOR MARTIN H. GLYNN.

O'Connor	Saunders				2

FOR JOHN W. KERNAN.

Brace	Cosad	Martin	Myers	Trombly	
Bridenbecker	Day	Miller			8

FOR M. J. O'BRIEN.

Shortt	1

FOR J. C. R. TAYLOR.

Evans	1

FOR WILLIAM SULZER.

Kennedy	1

Whole number of votes cast	196
Necessary to a choice	99

	Senators.	Assemblymen.	Total.
For William F. Sheehan	23	63	86
For Chauncey M. Depew	18	62	80
For Edward M. Shepard	2	8	10
For Alton B. Parker	0	1	1
For Martin W. Littleton	1	2	3
For Martin H. Glynn	1	2	3
For John W. Kernan	1	8	9
For M. J. O'Brien	1	1	2
For J. C. R. Taylor	0	1	1
For William Sulzer	0	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Senator Wagner, the joint assembly took a recess until Thursday, February 9th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Thursday, February 9th, at 12 o'clock noon in the Assembly Chamber.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Patrie (No. 45, Int. No. 45), entitled "An act to legalize the official acts of certain

justices of the peace and authorizing them to execute and file official bonds and official oaths and certificate."

Also, Assembly bill introduced by Mr. Wende (No. 195, Int. No. 194), entitled "An act to amend the Judiciary Law, in relation to actions or proceedings where one of the attorneys is a member of the Legislature," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill (No. 323, Int. No. 322) introduced by Mr. Goldberg, entitled "An act to amend the Judiciary Law, in relation to salaries of attendants and messengers of surrogates court of New York county and to repeal chapter four hundred and eighty-seven of the Laws of nineteen hundred and six, relative to the same subject," reported in favor of the passage of the same, with the following amendments:

On page 1, line 8, after the period succeeding the word "county" insert the words as follows: "Each of"; and change the capital letter "T" in the word "The", next occurring, to small letter "t"; and omit the words "salaries of", next occurring.

On page 2, line 1, after the word "shall" insert the words "receive a salary to".

On page 2, line 2, after the word "the", secondly occurring, on said line, and before the word "county" insert the word "said"; after the aforementioned word "county" omit the words "of New York".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Coffey (No. 137, Int. No. 136), entitled "An act to provide for a supply of pure and wholesome water for the city of Mount Vernon; and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects."

Also, Assembly bill introduced by Mr. Lincoln (No. 113, Int. No. 112), entitled "An act to validate certain bonds of the city of Jamestown."

Also, Assembly bill introduced by Mr. MacGregor (No. 150, Int. No. 140), entitled "An act providing for the relief of certain taxpayers of the city of Buffalo by placing the cost of acquiring lands for the extension of Laurel street in said city upon the general fund."

Also, Assembly bill introduced by Mr. Neupert (No. 44, Int. No. 44), entitled "An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds in the sum of two million dollars for the purpose of acquiring additional park lands and lands along the water front and improving the same,' authorizing the use of a part of the proceeds of the sale or sales of said bonds for improvements on park lands heretofore acquired by said city."

Also, Assembly bill introduced by Mr. Hammond (No. 297, Int. No. 296), entitled "An act to amend chapter six hundred and eighty-three of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the police pension fund and firemen's pension fund of the city of Syracuse.'"

Also, Assembly bill introduced by Mr. Hart (No. 26, Int. No. 26), entitled "An act to legalize the proceedings of the city of Gloversville, leading up to and including its issuance and sale of bonds of said city in the amount of seventy-five thousand dollars for completing the erection of a high school building therein, and validate the bonds already issued and sold therefor, and to provide for the payment of the principal and interest of such bonds."

Also, Assembly bill introduced by Mr. R. B. Waters (No. 269, Int. No. 267), entitled "An act to amend chapter three hundred and ninety-two of the Laws of nineteen hundred and two, entitled 'An act to authorize the common council of the city of Cohoes to borrow money by the issuing of bonds for the improvement of the quality and quantity of the present water supply, and the procuring of an additional supply of pure and wholesome water for said city,' to authorize the common council to amend its resolution fixing the rate of interest on bonds to be issued thereunder, and ratifying and confirming the action of the city, its common council,

board of water commissioners, officers and agents in respect to proceedings leading up to and including the passage of such resolution."

Also, Assembly bill introduced by Mr. R. B. Waters (No. 229, Int. No. 227), entitled "An act to amend chapter three hundred and eighty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the city of Cohoes to borrow money for the purpose of better equipping its fire department, and to issue and sell its bonds for the money so borrowed, and to provide for raising money by taxation in said city for the redemption of said bonds and the payment of interest thereon,' to authorize the common council to amend its resolution fixing the rate of interest on bonds to be issued thereunder, and ratifying and confirming the action of the city, its common council, officers and agents in respect to proceedings leading up to and including the passage of such resolution," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Patrie, from the committee on public education, to which was referred Assembly bill introduced by Mr. MacGregor (No. 13, Int. No. 13), entitled "An act to amend chapter two hundred and twenty-two of the Laws of eighteen hundred and seventy-nine, entitled 'An act to consolidate the several school districts in the town of Grand Island, Erie county, and to provide for the election of a board of education therein,' by adding two new sections with reference to distribution of funds," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. McDaniels (No. 373, Int. No. 365), entitled "An act to amend the Highway Law by the addition of a new State route in the counties of Chemung, Schuyler and Tompkins."

Also, Assembly bill introduced by Mr. Miller (No. 306, Int. No. 305), entitled "An act to authorize the Maple Grove Cemetery Association of Worcester, Otsego county, New York, to accept a gift or bequest for the purpose of caring for a certain cemetery lot

situate without the boundaries of the cemetery of such association."

Also, Assembly bill introduced by Mr. Shea (No. 24, Int. No. 24), entitled "An act to legalize, ratify and confirm the proceedings of the town of North Elba in the adoption of the proposition to authorize the securing of site and erecting a town building in the west end of the town and to raise and appropriate the sum of eight thousand dollars for such purpose and to issue bonds therefor, and to legalize the bonds of such town sold and awarded in pursuance thereof to the amount of eight thousand dollars and to provide for the payment of the same."

Also, Assembly bill introduced by Mr. White (No. 283, Int. No. 281), entitled "An act to ratify, confirm and legalize the proceedings of the town of Irondequoit in the county of Monroe, had and taken in the matter of the establishment of a water district in said town; the sale, award and issuance of the bonds of said town to pay for the cost of constructing a water system in said water district and to provide for the payment of said bonds."

Also, Assembly bill introduced by Mr. Day (No. 300, Int. No. 299), entitled "An act to legalize and validate certain bonds, for the construction and repair of bridges, of the town of Ellisburg in the county of Jefferson, in the proceedings heretofore taken for the issuance and sale thereof by the town board and legal voters of said town and the board of supervisors of Jefferson county and for the levy of a tax for the payment of the principal and interest thereof."

Also, Assembly bill introduced by Mr. Blauvelt (No. 138, Int. No. 137), entitled "An act to legalize, ratify and confirm the proceedings for the appointment of commissioners for the drainage of certain swamplands known as the 'Nanuet Meadows,' situated in the town of Clarkstown, county of Rockland, and to legalize, ratify and confirm certain acts and proceedings of such commissioners," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Goodwin (No. 314, Int. No. 313), entitled "An act to confirm the acts of commis-

sioners appointed to lay out and assess damages upon the opening of a public highway in the town of New Castle, in Westchester county; to legalize and confirm the acts and proceedings of David L. Barnum and Frank T. Bailey, as commissioners of highways of said town; to authorize the town board of auditors of said town to audit the contracts in relation to the building of said highway; and to authorize the said town to pay for the construction of said highway, and to raise money therefor," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Cuvillier, from the committee on military affairs, to which was referred Assembly bill (No. 133, Int. No. 132) introduced by Mr. MacGregor, entitled An act to amend the Military Law, in relation to vacations of laborers in armories and arsenals," reported in favor of the passage of the same, with the following amendments:

Amend line 1 of title by placing brackets about the word " laborers " and insert in italics the word " employees ".

Page 3, lines 5 and 6, strike out the words " may in his discretion " and insert " shall " in italics.

Line 5, strike out the word " laborer " and insert " employee " in italics.

Lines 5 and 6, strike out the words " not more than ten " and insert " fourteen " in italics.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Oliver (No. 368, Int. No. 85), entitled "An act to amend chapter sixty-two of the Laws of nineteen hundred and nine, entitled 'An act in relation to taxation, constituting chapter sixty of the Consolidated Laws,' by inserting therein after section two hundred and seventy-one a new section to be known as section two hundred and seventy-one-a, and amending section two hundred and seventy-five thereof."

Also, the bill introduced by Mr. Foley (No. 120, Int. No. 119), entitled "An act to incorporate the American-Scandinavian Foun-

dation," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to legalize the issue of bonds of the town of Chateaugay in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of completing the erection of a town house in said town, and to provide for the payment of the principal and interest thereof." (No. 70, Int. No. 71.)

"An act to legalize, ratify and confirm the proceedings of the qualified voters and town board of the town of Eastchester, in the county of Westchester, the officers and agents thereof, and the proceedings of the board of supervisors of said county, in the matter of the sale and award of the bonds of said town in the amount of five thousand three hundred dollars, and to provide for the payment of the interest and principal thereof." (No. 7, Int. No. 7.)

"An act to amend chapter one hundred and three of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Ulster county a salaried office and regulating the management of said office,' in relation to the number and salaries of the clerks thereof." (No. 107, Int. No. 107.)

"An act to authorize the board of education of union free school district number four of the town of Rye, in the county of Westchester, to issue certificates of indebtedness for unpaid school taxes, and to provide for the payment of such certificates." (No. 11, Int. No. 11.)

"An act to legalize the establishment of the Roslyn water district in the town of North Hempstead, and the issuance and sale of the bonds of said town to install a water plant in said district, and to provide for the payment of said bonds." (No. 58, Int. No. 59.)

"An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages." (No. 212, Int. No. 211.)

On motion of Mr. Martin, the committee on revision was instructed to report Assembly bill (No. 82, Int. No. 82), entitled

"An act to authorize the board of education of the union free school of the village of Saratoga Springs to borrow money on notes to be issued by said board, for the purpose of defraying the expenses incurred in erecting a new schoolhouse in said village," with the following recommendations:

Page 1, line 3, after "dollars" insert "($48,000)".

Page 1, line 6, after "of" insert "the"; after "note" insert "dated March first, nineteen hundred and two, given for payment".

Page 1, line 7, after "school" insert "in said village of Saratoga Springs".

Page 2, line 3, after "house" insert "to be".

The bill (No. 32, Int. No. 32) entitled "An act to amend the Village Law, in relation to election on proposition to incorporate," was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading and referred to the committee on revision.

By unanimous consent, Mr. Jackson offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of the Senate bill (No. 156, Rec. No. 5), entitled "An act making appropriations for the commission, appointed pursuant to chapter five hundred and eighteen of the Laws of nineteen hundred and nine, to inquire into the question of employers' liability and certain other questions specified in such act."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Jackson, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Jackson, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 148
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McElligott	Shortt
Ahern	Donnelly	Hearn	McGrath	Smith A E
Allen	Donovan	Herrick J J	McKeon	Smith T K
Baumes	Drummond	Herrick W R	Merritt	Spielberg
Beach	Ebbetts	Heyman	Miller	Stivers
Blauvelt	Egan	Higgins	Monczynski	Sullivan
Boylan	Evans	Hinman	Mork	Sweet
Brace	Farrell	Hoey	Murray	Talmage
Brennan	Fay	Hoff	Myers	Terry
Brereton	Filley	Hollmann	Neupert	Thorn
Bridenbecker	Fitzpatrick	Hoyt	Nolan	Trombly
Brooks	Foley	Huber	O'Connor	Turley
Brown	Friedman	Jackson	Oliver	Walker
Bryant	Fry	Jameson	O'Neill J J	Ward
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodman	Lent	Pierce	Wende
Collin	Goodwin	Levy A J	Saunders	Wheeler
Colné	Gould	Levy J	Schifferdecker	White
Connell	Graubard	Lincoln	Seeley	Wilson
Constantine	Gray	Macdonald	Shannon	Winters
Cosad	Gregg	MacGregor	Shea	Yale
Cross	Gurnett	Manley	Sheide	Yeomans
Cuvillier	Hackett	Martin	Shepardson	Young
Dawson	Haines	McCue	Shlivek	Zorn
Day	Hart	McDaniels		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 349, Int. No. 79) entitled "An act making appropriations for the commission, appointed pursuant to chapter five hundred and eighteen of the Laws of nineteen hundred and nine, to inquire into the question of employers' liability and certain other questions, specified in such act," having been announced for a second reading,

On motion of Mr. Jackson, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 350, Int. No. 49) entitled "An act to amend the Code of Civil Procedure, in relation to permitting certain classes of innkeepers or tavernkeepers to serve as justices of the peace," was read the second time.

On motion of Mr. Patrie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 353, Int. No. 91) entitled "An act to amend section four hundred and forty-seven of the Code of Civil Procedure," was read the second time.

On motion of Mr. Chanler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 351, Int. No. 92) entitled "An act to amend section fifteen hundred and ninety-four of the Code of Civil Procedure," was read the second time.

On motion of Mr. Chanler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 352, Int. No. 93) entitled "An act to amend section sixteen hundred and twenty-seven of the Code of Civil Procedure," was read the second time.

On motion of Mr. Chanler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 73, Int. No. 74) entitled "An act to legalize, ratify and confirm the proceedings of the village of Cherry Creek in the county of Chautauqua, in the matter of raising the sum of thirty thousand dollars for the construction of a pressure water system for said village; to legalize, ratify and confirm the sale and issuance of the bonds of said village in the amount of twenty-five thousand dollars of said sum; to authorize the sale and issuance of the bonds of said village for the balance thereof; and to provide for the payment of the interest and principal of said bonds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 147
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McDaniels	Shortt
Ahern	Donnelly	Hearn	McElligott	Smith A E
Allen	Donovan	Herrick J J	McGrath	Smith T K
Baumes	Drummond	Herrick W R	McKeon	Spielberg
Beach	Ebbetts	Heyman	Merritt	Stivers

Blauvelt	Egan	Higgins	Miller	Sullivan
Boylan	Evans	Hinman	Monczynski	Sweet
Brace	Farrell	Hoey	Mork	Talmage
Brennan	Fay	Hoff	Murray	Terry
Brereton	Filley	Hollmann	Myers	Thorn
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Trombly
Brooks	Foley	Huber	Nolan	Turley
Brown	Friedman	Jackson	O'Connor	Walker
Bryant	Fry	Jameson	O'Neill J J	Ward
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodman	Lent	Pierce	Wende
Colln	Goodwin	Levy A J	Saunders	Wheeler
Colné	Gould	Levy J	Schifferdecker	White
Connell	Graubard	Lincoln	Seeley	Wilson
Constantine	Gray	Macdonald	Shannon	Winters
Cosad	Gregg	MacGregor	Shea	Yale
Cross	Gurnett	Manley	Sheide	Yeomans
Cuvillier	Hackett	Martin	Shepardson	Young
Dawson	Haines	McCue	Shlivek	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 201, Int. No. 200) entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Niagara county, and abolishing the office of commissioner of jurors in such county," having been announced for a third reading,

On motion of Mr. Merritt, said bill was recommitted to the committee on general laws, retaining its place on the order of third reading.

The bill (No. 111, Int. No. 110) entitled "An act to provide for the submission of a proposition to the taxpayers of the village of Silver Creek to determine whether the expense, within certain limits, of maintaining a building for public purposes to be conveyed to the Silver Creek Memorial Association, herein incorporated, shall be borne by said village, and to regulate the management and control of said building," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 146
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shortt
Ahern	Donnelly	Hammond	McDaniels	Smith A E
Allen	Donovan	Hearn	McElligott	Smith T K
Baumes	Drummond	Herrick J J	McGrath	Spielberg
Beach	Ebbetts	Herrick W R	McKeon	Stivers
Blauvelt	Egan	Heyman	Merritt	Sullivan
Boylan	Evans	Higgins	Miller	Sweet
Brace	Farrell	Hinman	Monczynski	Talmage
Brennan	Fay	Hoey	Mork	Terry
Brereton	Filley	Hoff	Murray	Thorn
Bridenbecker	Fitzpatrick	Hollmann	Myers	Trombly
Brooks	Foley	Hoyt	Neupert	Turley
Brown	Friedman	Huber	Nolan	Walker
Bryant	Fry	Jackson	O'Connor	Ward
Bush	Geatons	Jameson	O'Neill J J	Waring
Butler	Gerhardt	Jones	O'Neil M A	Warren
Carew	Gerken	Kennedy	Pappert	Washburn
Caughlan	Gillen	Keys	Parker A	Waters F A
Chanler	Goldberg	Kopp	Patrie	Waters R B
Cheney	Goldstein	Lansing	Phillips C W	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Goodwin	Lent	Saunders	Wheeler
Colné	Gould	Levy A J	Schifferdecker	White
Connell	Graubard	Levy J	Seeley	Wilson
Constantine	Gray	Lincoln	Shannon	Winters
Cossad	Gregg	Macdonald	Shea	Yale
Cross	Gurnett	MacGregor	Sheide	Yeomans
Cuvillier	Hackett	Manley	Shepardson	Young
Dawson	Haines	Martin	Shlivek	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 130, Int. No. 129) entitled "An act to amend the Executive Law, in relation to the expenses incurred by the Attorney-General in attending at any term of the Supreme Court or appearing before the grand jury thereof," having been announced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 251, Int. No. 250) entitled "An act to incorporate the American Jewish Committee," was read the third time, having been printed and upon the desks of the members in its

final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 147
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McDaniels	Shortt
Ahern	Donnelly	Hearn	McElligott	Smith A E
Allen	Donovan	Herrick J J	McGrath	Smith T K
Baumes	Drummond	Herrick W R	McKeon	Spielberg
Beach	Ebbetts	Heyman	Merritt	Stivers
Blauvelt	Egan	Higgins	Miller	Sullivan
Boylan	Evans	Hinman	Monczynski	Sweet
Brace	Farrell	Hoey	Mork	Talmage
Brennan	Fay	Hoff	Murray	Terry
Brereton	Filley	Hollmann	Myers	Thorn
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Trombly
Brooks	Foley	Huber	Nolan	Turley
Brown	Friedman	Jackson	O'Connor	Walker
Bryant	Fry	Jameson	O'Neill J J	Ward
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodman	Lent	Pierce	Wende
Collin	Goodwin	Levy A J	Saunders	Wheeler
Colné	Gould	Levy J	Schifferdecker	White
Connell	Graubard	Lincoln	Seeley	Wilson
Constantine	Gray	Macdonald	Shannon	Winters
Cosad	Gregg	MacGregor	Shea	Yale
Cross	Gurnett	Manley	Sheide	Yeomans
Cuvillier	Hackett	Martin	Shepardson	Young
Dawson	Haines	McCue	Shlivek	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Wende offered for the consideration of the House a resolution, in the words following:

Resolved, That five hundred additional copies of Assembly bill (Int. No. 193, Printed No. 194), entitled "An act amending the State Boards and Commissions Law, in relation to the powers and duties of the State Water Supply Commission in request to water companies, outside of the city of New York," be printed for the use of the Assembly.

which was referred to the committee on public printing.

The privileges of the floor were extended to General Daniel W. Sickles, a former member, who addressed the House as follows:

Mr. Speaker, and Members of Assembly, the compliment you have paid me, standing in this presence, makes me feel young again; I feel about twenty-one, which was my age when I was chosen a member of this House in 1847.

A great many interesting events have happened since that epoch, in some of which I have had the opportunity of taking an humble part.

I believe and so far as I know I am the oldest living ex-member of the Legislature of the State of New York. I had the honor to have my seat in the Assembly for two sessions, and to be a member of the co-ordinate branch of the Legislature. I was chosen a Senator in 1855, and in the following year 1856 I was chosen a Member of Congress. So far as I know I am the oldest living ex-member of the two houses of this Legislature and of the American Congress.

Thanking Almighty God for the blessings of a long life and a happy life, somewhat useful I trust to our American country, and with the further prayer that the blessing of Almighty God may rest upon you, the present members of the Assembly, I thank you most heartily for the compliment I have received.

The Senate returned the bill (No. 160, Int. No. 159), entitled "An act to legalize, ratify and confirm the sale and issuance of the bonds of the city of Johnstown in the aggregate amount of fifteen thousand dollars, and to provide for the payment of the principal and interest of the same," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Johnstown.

On motion of Mr. A. E. Smith, the House adjourned.

THURSDAY, FEBRUARY 9, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Fay	Hinman	Miller	Smith A E
Ahern	Filley	Hoey	Monczynski	Smith T K
Allen	Fitzpatrick	Hoff	Mork	Stivers
Beach	Foley	Hollmann	Murray	Sullivan
Blauvelt	Friedman	Hoyt	Myers	Sweet
Boylan	Fry	Huber	Neupert	Talmage
Brace	Geatons	Jackson	Nolan	Terry
Brereton	Gerhardt	Jameson	O'Connor	Thorn
Bridenbecker	Gerken	Jones	Oliver	Trombly
Bryant	Gillen	Kennedy	O'Neill J J	Turley
Carew	Goldberg	Keys	O'Neil M A	Ward
Caughlan	Goldstein	Kopp	Pappert	Waring
Coffey	Goodman	Lansing	Parker A	Warren
Collin	Goodwin	Lent	Parker J S	Waters F A
Colné	Gould	Levy A J	Patrie	Waters R B
Constantine	Graubard	Levy J	Phillips C W	Weil
Cosad	Gray	Macdonald	Pierce	Wende
Cuvillier	Gregg	MacGregor	Saunders	Wheeler
Dawson	Gurnett	Manley	Schifferdecker	White
Day	Hackett	Martin	Seeley	Wilson
DeLano	Haines	McCue	Shannon	Winters
Donnelly	Hart	McDaniels	Shea	Yale
Drummond	Hammond	McElligott	Sheide	Yeomans
Ebbetts	Herrick J J	McGrath	Shepardson	Young
Egan	Herrick W R	McKeon	Shlivek	Zorn
Evans	Heyman	Merritt	Shortt	Speaker
Farrell	Higgins			

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following entitled bills:

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Leroy Crawford against the State for damages alleged to have been sustained by him by reason of the appropriation of the lands of Mary L. Fisher, in the county of Herkimer, by the forest purchasing board for Adirondack park purposes, and to render judgment therefor" (No. 15, Rec. No. 12), which was read the first time and referred to the committee on claims.

"An act to provide for the submission of a proposition to the taxpayers of the village of Silver Creek to determine whether the expense, within certain limits, of maintaining a building for public purposes to be conveyed to the Silver Creek Memorial Association, herein incorporated, shall be borne by said village, and to regulate the management and control of said building" (No. 105, Rec. No. 13), which was read the first time and referred to the committee on affairs of villages.

Mr. Gerhardt introduced a bill entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relating to the designation of an official newspaper" (Int. No. 461), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Labor Law, in relation to the rights of laborers" (Int. No. 462), which was read the first time and referred to the committee on labor and industries.

Mr. Haines introduced a bill entitled "An act to amend the State Printing Law, in relation to creating the office of Superintendent of State Printing, prescribing his powers and duties, and making an appropriation therefor" (Int. No. 463), which was read the first time and referred to the committee on ways and means.

Mr. Hinman introduced a bill entitled "An act in relation to the improvement of State street in the city of Albany" (Int. No. 464), which was read the first time and referred to the committee on affairs of cities.

Mr. A. J. Levy introduced a bill entitled "An act to amend the Code of Criminal Procedure, relative to the appointment of stenographers to take evidence before grand juries and at coroner's inquests and examinations and trials of criminal cases" (Int. No. 465), which was read the first time and referred to the committee on codes.

Mr. Merritt introduced a bill entitled "An act to provide for the preparation, printing and distribution of a report of the dedication of the New York State Central Historical Memorial, and reappropriating an unexpended balance to defray the expenses therefor" (Int. No. 466), which was read the first time and referred to the committee on ways and means.

Mr. Miller introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish in certain waters of Chenango, Otsego and Madison counties" (Int. No. 467), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. T. K. Smith introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John M. Shultz against the State for

damages alleged to have been sustained by him and to render judgment therefor" (Int. No. 468), which was read the first time and referred to the committee on claims.

Mr. Bridenbecker introduced a bill entitled "An act to amend the Highway Law, in relation to construction of State and county highways of additional width at the expense of towns" (Int. No. 469), which was read the first time and referred to the committee on internal affairs.

Mr. Donnelly introduced a bill entitled "An act to amend the Military Law, in relation to the use of armories by regular organizations of the National Scouts of the United States" (Int. No. 470), which was read the first time and referred to the committee on military affairs.

Mr. Brennan introduced a bill entitled "An act to amend the General Business Law, relative to employment agencies" (Int. No. 471), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Greater New York charter, as reenacted by chapter four hundred and sixty-six of the Laws of nineteen hundred and one, relative to the police department" (Int. No. 472), which was read the first time and referred to the committee on affairs of cities.

Mr. Donnelly introduced a bill entitled "An act to amend the General City Law, in relation to the supervision and regulation of plastering in cities of the first class" (Int. No. 473), which was read the first time and referred to the committee on affairs of cities.

Mr. MacGregor introduced a bill entitled "An act to amend the Tonawanda city charter, generally, and to repeal section five of title two of such charter" (Int. No. 474), which was read the first time and referred to the committee on affairs of cities.

Mr. Mork introduced a bill entitled "An act to amend the Railroad Law, in relation to the rate of fare on railroads operated by steam in cities of over one million inhabitants" (Int. No. 475), which was read the first time and referred to the committee on railroads.

Mr. Gould introduced a bill entitled "An act for the investment of the endowment and other permanent funds of Grace church,

Lockport" (Int. No. 476), which was read the first time and referred to the committee on charitable and religious societies.

Mr. Zorn introduced a bill entitled "An act to amend the Tax Law, in relation to the salary of the transfer tax clerk in the county of Queens" (Int. No. 477), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to regulate the fares for foot passengers on the ferry operated between Ninety-second street, New York, and Astoria, Long Island" (Int. No. 478), which was read the first time and referred to the committee on commerce and navigation.

Mr. Hackett introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to bonds to be given" (Int. No. 479), which was read the first time and referred to the committee on excise.

Mr. Coffey introduced a bill entitled "An act to provide a new charter for the city of Mount Vernon" (Int. No. 480), which was read the first time and referred to the committee on affairs of cities.

Mr. Jameson introduced a bill entitled "An act to amend the Penal Law, in relation to processions on Sunday in cities" (Int. No. 481), which was read the first time and referred to the committee on codes.

Mr. Bush introduced a bill entitled "An act making an appropriation for the purpose of repairing and reconstructing the dikes and repairing the banks of the Chemung river in the city of Elmira" (Int. No. 482), which was read the first time and referred to the committee on ways and means.

Mr. White introduced a bill entitled "An act to amend the Penal Law, in relation to guide signs erected by automobile clubs" (Int. No. 483), which was read the first time and referred to the committee on codes.

Mr. J. S. Parker introduced a bill entitled "An act to provide for the rebuilding of a bridge across South bay in the county of Washington, and making an appropriation therefor" (Int. No. 484), which was read the first time and referred to the committee on ways and means.

Mr. Fay introduced a bill entitled "An act to release to Alfredo Barili all of the right, title and interest of the people of the State

of New York in and to certain real estate situated in the city of Yonkers, county of Westchester, and State of New York, acquired by escheat or otherwise upon the death of Carlo Scola, and Carlo Scola, his son" (Int. No. 485), which was read the first time and referred to the committee on ways and means.

Mr. McKeon introduced a bill entitled "An act to amend the Canal Law, in relation to creating the barge canal traffic commission, and prescribing its powers and duties" (Int. No. 486), which was read the first time and referred to the committee on ways and means.

Mr. Hammond introduced a bill entitled "An act to amend chapter three hundred and fifty-six of the Laws of nineteen hundred and seven, as amended by chapter one hundred and seven of the Laws of nineteen hundred and nine, entitled 'An act to provide for the construction of intercepting sewers in and for the city of Syracuse'" (Int. No. 487), which was read the first time.

On motion of Mr. Hammond, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

Mr. Shlivek introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to permitting supplementary proceedings to be taken upon all judgments, regardless of amount" (Int. No. 488), which was read the first time and referred to the committee on codes.

Mr. Fitzpatrick introduced a bill entitled "An act to limit the prices for water service and supplies furnished in Queens county" (Int. No. 489), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. McElligott introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to motions for new trials" (Int. No. 490), which was read the first time and referred to the committee on codes.

Mr. Goldberg introduced a bill entitled "An act to amend the Real Property Law, in relation to recording deeds" (Int. No. 491), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Tax Law, in relation to the assessment of real property and repealing certain sections relating

thereto" (Int. No. 492), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Tax Law, in relation to tax districts" (Int. No. 493), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, and review of assessments" (Int. No. 494), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Tax Law, in relation to the powers and duties of the State Board of Tax Commissioners" (Int. No. 495), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to repeal section ten of the Tax Law, relating to taxation of real property divided by line of tax district" (Int. No. 496), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Tax Law, in relation to equalization by boards of supervisors" (Int. No. 497), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Tax Law, in relation to statement of aggregate valuation" (Int. No. 498), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Tax Law, in relation to providing for statistics of taxation, revenue and debt" (Int. No. 499), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Tax Law, in relation to assessment-rolls in cities" (Int. No. 500), which was read the first time and referred to the committee on taxation and retrenchment.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Frawley	Harte	O'Brien	Stilwell	
Black	Gittins	Long	Pollock	Sullivan C D	
Ferris	Griffin	McClelland	Ramsperger	Wagner	
Fiero	Harden	Murtaugh	Sanner		19

FOR CHAUNCEY M. DEPEW.

Allen	Emerson	Hewitt	Rose	Wainwright	
Argetsinger	Hamilton	Ormrod	Sage	Walters	
Cobb	Heacock	Platt	Thomas		14

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR MARTIN W. LITTLETON.

Burd	1

FOR MARTIN H. GLYNN.

Duhamel	1

FOR M. J. O'BRIEN.

Loomis	1

FOR JOHN D. KERNAN.

White	1

When the roll was called the following pairs were announced: Mr. Brackett with Mr. Grady; Mr. Cronin with Mr. Travis; Mr. Griffith with Mr. Sullivan, T. D.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Graubard	Levy A J	O'Neill J J	
Boylan	Fitzpatrick	Gregg	Levy J	O'Neil M A	
Brennan	Foley	Gurnett	Manley	Parker A	
Bush	Frisbie	Hackett	McCue	Patrie	
Carew	Geatons	Herrick J J	McElligott	Schifferdecker	
Caughlan	Gerhardt	Herrick W R	McGrath	Seeley	
Collin	Gerken	Heyman	McKeon	Sheide	
Cuvillier	Gillen	Hoey	Monczynski	Smith A E	
Dawson	Goldberg	Jackson	Mork	Warren	
Donnelly	Goldstein	Jameson	Neupert	Weil	
Egan	Gould	LaReau	Oliver	Wende	
Farrell					56

FOR CHAUNCEY M. DEPEW.

Adler	DeLano	Jones	Phillips C W	Thorn	
Ahern	Ebbetts	Keys	Pierce	Ward	
Allen	Filley	Kopp	Shannon	Waring	
Brereton	Goodman	Lansing	Shea	Waters F A	
Brooks	Goodwin	Lent	Shepardson	Waters R B	
Brown	Gray	Macdonald	Shlivek	White	
Bryant	Haines	MacGregor	Smith T K	Wilson	
Coffey	Hammond	Merritt	Stivers	Winters	
Colné	Hart	Murray	Sullivan	Yale	
Connell	Higgins	Nolan	Sweet	Yeomans	
Constantine	Hinman	Pappert	Talmage	Young	
Cross	Hoff	Parker J S			58

FOR EDWARD M. SHEPARD.

Beach	Drummond	Fry	Terry	Wheeler	
Chanler	Friedman	Huber			8

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN W. LITTLETON.

Hollmann Hoyt 2

FOR MARTIN H. GLYNN.

O'Connor Saunders 2

FOR JOHN D. KERNAN.

Brace	Cosad	Martin	Miller	Trombly	
Bridenbecker	Day				7

FOR M. J. O'BRIEN.

Shortt 1

FOR J. C. R. TAYLOR.

Evans 1

FOR WILLIAM SULZER.

Kennedy Myers 2

Whole number of votes cast..... 177

Necessary to a choice..... 89

	Senators.	Assemblymen.	Total
For William F. Sheehan.....	19	56	75
For Chauncey M. Depew.....	14	58	72
For Edward M. Shepard.....	2	8	10
For Alton B. Parker.....	0	1	1
For Martin W. Littleton	1	2	3
For Martin H. Glynn.....	1	2	3

	Senators.	Assemblymen.	Total.
For John W. Kernan.....	1	7	8
For M. J. O'Brien.....	1	1	2
For J. C. R. Taylor.....	0	1	1
For William Sulzer	0	2	2

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Friday, February 10th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Friday, February 10th, at 12 o'clock noon in the Assembly Chamber.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Bush (No. 275, Int. No. 273), entitled "An act providing for the installing of an elevator in the State armory in Elmira for the use of the several posts of the Grand Army of the Republic occupying the third story of said armory, pursuant to chapter two hundred and eighty-three, Laws of eighteen hundred and eighty-seven, and making an appropriation therefor," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Senate bill introduced by Mr. Frawley (No. 160, Rec. No. 9), entitled "An act making appropriations for certain immediate expenses of the Legislature, and providing for deficiencies in former appropriations therefor."

Also, Senate bill introduced by Mr. Ramsperger (No. 135, Rec. No. 10), entitled "An act to reappropriate certain unexpended balances for the State Commission in Lunacy," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 59, Int. No. 60) introduced by Mr. M. A. O'Neil, entitled "An act to amend the Code of Civil Procedure, relating to the examination by the surrogate of the county wherein the witnesses reside of the subscribing witnesses to a will offered for probate in another county," reported in favor of the passage of the same, with the following amendments:

On page 2, line 7, after the word "will" insert the following in italics: "If it shall appear from the order that objections to the probate of the will have been filed,".

On page 2, line 7, in last word "The" change capital "T" to lower case "t".

On page 2, line 10, strike out the words "if it shall appear from the order".

On page 2, line 11, strike out the words "that objections to the probate of the will have been filed, and if".

On page 2, line 10, after the word "witness" insert in italics "but if it shall appear from the order that no such objections have been filed, the latter surrogate may".

On page 2, line 12, strike out the words "no such objections appear, shall."

One page 2, line 27, strike out the word "immediately" and insert the words "September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 226, Int. No. 224) introduced by Mr. Goodman, entitled "An act to amend the Code of Civil Procedure, in relation to examinations in proceedings supplemental to execution," reported in favor of the passage of the same, with the following amendment:

On page 2, line 17, strike out the word "immediately" and insert the words "September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 33, Int. No. 33) introduced by Mr. Goldberg, entitled "An act to amend the Code of Criminal Procedure, relative to admitting the defendant to bail," reported in favor of the passage of the same, with the following amendment:

On page 2, line 4, strike out the word "immediately" and insert in its place the words "September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 264, Int. No. 262) introduced by Mr. Goldberg, entitled "An act to amend the Code of Criminal Procedure, in relation to admission to bail," reported in favor of the passage of the same, with the following amendment:

On page 1, line 12, strike out the word "immediately" and insert the words "September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Goldberg, from the committee on taxation and retrenchment, to which was referred Assembly bill introduced by Mr. Blauvelt (No. 95, Int. No. 95), entitled "An act providing for the assessment and taxation of lands owned by the State in the county of Rockland," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Graubard, from the committee on public printing, to which was referred the resolution relative to printing five hundred additional copies of Assembly bill (Int. No. 204, Printed No. 205) reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the use of the Assembly five hundred extra copies of Assembly bill (No. 205, Int. No. 204), entitled "An act to amend chapter four hundred and thirty-eight of the Laws of nineteen hundred and nine, entitled 'An act authorizing an inquiry into the question as to providing terminal facilities on the canals of this State, with a view of ultimately improving and fostering the commerce of the State, and making an appropriation therefor,' in relation to the membership of the commission created thereby."

which report was agreed to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 142
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shepardson
Ahern	Donnelly	Hammond	McElligott	Shlivek
Allen	Donovan	Hearn	McGrath	Shortt
Beach	Drummond	Herrick J J	McKeon	Smith A E
Blauvelt	Ebbetts	Herrick W R	Merritt	Smith T K
Boylan	Egan	Heyman	Miller	Stivers
Brace	Evans	Higgins	Monczynski	Sullivan
Brennan	Farrell	Hinman	Mork	Sweet
Brereton	Fay	Hoey	Murray	Talmage
Bridenbecker	Filley	Hoff	Myers	Terry
Brooks	Fitzpatrick	Hollmann	Neupert	Thorn
Brown	Foley	Hoyt	Nolan	Trombly
Bryant	Friedman	Huber	O'Connor	Turley
Bush	Fry	Jackson	Oliver	Walker
Butler	Geatons	Jameson	O'Neill J J	Ward
Carew	Gerhardt	Jones	O'Neil M A	Warren
Caughlan	Gerken	Kennedy	Pappert	Waters F A
Chanler	Gillen	Keys	Parker A	Waters R B
Cheney	Goldberg	Kopp	Parker J S	Weil
Coffey	Goldstein	Lansing	Patrie	Wende
Collin	Goodman	Lent	Phillips C W	Wheeler
Colné	Goodwin	Levy A J	Pierce	White
Connell	Gould	Levy J	Saunders	Wilson
Constantine	Graubard	Macdonald	Schifferdecker	Winters
Cosad	Gray	MacGregor	Seeley	Yale
Cross	Gregg	Manley	Shannon	Yeomans
Cuvillier	Gurnett	Martin	Shea	Young
Dawson	Hackett	McCue	Sheide	Zorn
Day	Haines			

Mr. Graubard, from the committee on public printing, to which was referred the resolution relative to printing five hundred additional copies of Assembly bill (Int. No. 193, Printed No. 194) reported in favor of the adoption of the following resolution:

Resolved, That five hundred additional copies of Assembly bill (Int. No. 193, Printed No. 194), entitled "An act amending the State Boards and Commissions Laws, etc.," be printed for the use of the Assembly.

which report was agreed to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 142
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shepardson
Ahern	Donnelly	Hammond	McElligott	Shlivek
Allen	Donovan	Hearn	McGrath	Shortt
Beach	Drummond	Herrick J	McKeon	Smith A E
Blauvelt	Ebbetts	Herrick W R	Merritt	Smith T K
Boylan	Egan	Heyman	Miller	Stivers
Brace	Evans	Higgins	Monczynski	Sullivan
Brennan	Farrell	Hinman	Mork	Sweet
Brereton	Fay	Hoey	Murray	Talmage
Bridenbecker	Filley	Hoff	Myers	Terry
Brooks	Fitzpatrick	Hollmann	Neupert	Thorn
Brown	Foley	Hoyt	Nolan	Trombly
Bryant	Friedman	Huber	O'Connor	Turley
Bush	Fry	Jackson	Oliver	Walker
Butler	Geatons	Jameson	O'Neill J J	Ward
Carew	Gerhardt	Jones	O'Neil M A	Warren
Caughlan	Gerken	Kennedy	Pappert	Waters F A
Chanler	Gillen	Keys	Parker A	Waters R B
Cheney	Goldberg	Kopp	Parker J S	Weil
Coffey	Goldstein	Lansing	Patrie	Wende
Collin	Goodman	Lent	Phillips C W	Wheeler
Colné	Goodwin	Levy A J	Pierce	White
Connell	Gould	Levy J	Saunders	Wilson
Constantine	Graubard	Macdonald	Schifferdecker	Winters
Cosad	Gray	MacGregor	Seeley	Yale
Cross	Gregg	Manley	Shannon	Yeomans
Cuvillier	Gurnett	Martin	Shea	Young
Dawson	Hackett	McCue	Sheide	Zorn
Day	Haines			

Mr. Graubard, from the committee on public printing, to which was referred the resolution relative to printing five hundred additional copies of Assembly bill (Int. No. 242, Printed No. 244) reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the use of the Assembly five hundred extra copies of Assembly bill (No. 244, Int. No. 242), entitled "An act to provide for the expiration of the terms of office of the civil engineers appointed to act as an advisory board of consulting engineers, pursuant to the provisions of chapter one hundred and forty-seven of the Laws of nineteen hundred and three."

which report was agreed to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 142
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDani	Shepardson
Ahern	Donnelly	Hammond	McElligott	Shlivek
Allen	Donovan	Hearn	McGrath	Shortt
Beach	Drummond	Herrick J J	McKeon	Smith A E
Blauvelt	Ebbetts	Herrick W R	Merritt	Smith T K
Boylan	Egan	Heyman	Miller	Stivers
Brace	Evans	Higgins	Monczynski	Sullivan
Brennan	Farrell	Hinman	Mork	Sweet
Brereton	Fay	Hoey	Murray	Talmage
Bridenbecker	Filley	Hoff	Myers	Terry
Brooks	Fitzpatrick	Hollmann	Neupert	Thorn
Brown	Foley	Hoyt	Nolan	Trombly
Bryant	Friedman	Huber	O'Connor	Turley
Bush	Fry	Jackson	Oliver	Walker
Butler	Geatons	Jameson	O'Neill J J	Ward
Carew	Gerhardt	Jones	O'Neil M A	Warren
Caughlan	Gerken	Kennedy	Pappert	Waters F A
Chanler	Gillen	Keys	Parker A	Waters R B
Cheney	Goldberg	Kopp	Parker J S	Weil
Coffey	Goldstein	Lansing	Patrie	Wende
Collin	Goodman	Lent	Phillips C W	Wheeler
Colné	Goodwin	Levy A J	Pierce	White
Connell	Gould	Levy J	Saunders	Wilson
Constantine	Graubard	Macdonald	Schifferdecker	Winters
Cosad	Gray	MacGregor	Seeley	Yale
Cross	Gregg	Manley	Shannon	Yeomans
Cuvillier	Gurnett	Martin	Shea	Young
Dawson	Hackett	McCue	Sheide	Zorn
Day	Haines			

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Goodwin (No. 314, Int. No. 313), entitled "An act to confirm the acts of commissioners appointed to lay out and assess damages upon the opening of a public highway in the town of New Castle, in Westchester county; to legalize and confirm the acts and proceedings of David L. Barnum and Frank T. Bailey, as commissioners of highways of said town; to authorize the town board of auditors of said town to audit the contracts in relation to the building of said highway; and to authorize the said town to pay for the construction of said highway, and to raise money therefor."

Also, the bill introduced by Mr. Evans (No. 32, Int. No. 32), entitled "An act to amend the Village Law, in relation to election on proposition to incorporate."

Also, the bill introduced by Mr. Patrie (No. 350, Int. No. 49), entitled "An act to amend the Code of Civil Procedure, in rela-

tion to permitting certain classes of innkeepers or tavernkeepers to serve as justices of the peace."

Also, the bill introduced by Mr. Chanler (No. 352, Int. No. 93), entitled "An act to amend section sixteen hundred and twenty-seven of the Code of Civil Procedure."

Also, the bill introduced by Mr. Chanler (No. 353, Int. No. 91), entitled "An act to amend section four hundred and forty-seven of the Code of Civil Procedure."

Also, the bill introduced by Mr. Chanler (No. 351, Int. No. 92), entitled "An act to amend section fifteen hundred and ninety-four of the Code of Civil Procedure," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Martin (No. 82, Int. No. 82), entitled "An act to authorize the board of education of the union free school of the village of Saratoga Springs to borrow money on notes to be issued by said board, for the purpose of defraying the expenses incurred in erecting a new schoolhouse in said village," reported the same with the following recommendations:

Page 1, line 3, after "dollars" insert "($48,000)".

Page 1, line 6, after "of" insert "the," after "Note" insert "dated March first, nineteen hundred and two, given for payment."

Page 1, line 7, after "School" insert "in said village of Saratoga Springs."

Page 2, line 3, after "house" insert "to be".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend chapter sixty-two of the Laws of nineteen hundred and nine, entitled 'An act in relation to taxation, constituting chapter sixty of the Consolidated Laws,' by inserting therein after section two hundred and seventy-one a new section to be known as section two hundred and seventy-one-a, and amending section two hundred and seventy-five thereof." (No. 368, Int. No. 85.)

"An act to incorporate the American-Scandinavian Foundation." (No. 120, Int. No. 119.)

The bill (No. 137, Int. No. 136) entitled "An act to provide for a supply of pure and wholesome water for the city of Mount Vernon; and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects," having been announced for a second reading,

On motion of Mr. Coffey, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 113, Int. No. 112) entitled "An act to validate certain bonds of the city of Jamestown," was read the second time.

On motion of Mr. Lincoln, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 150, Int. No. 149) entitled "An act providing for the relief of certain taxpayers of the city of Buffalo by placing the cost of acquiring lands for the extension of Laurel street in said city upon the general fund," was read the second time.

On motion of Mr. MacGregor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 269, Int. No. 267) entitled "An act to amend chapter three hundred and ninety-two of the Laws of nineteen hundred and two, entitled 'An act to authorize the common council of the city of Cohoes to borrow money by issuing of bonds for the improvement of the quality and quantity of the present water supply, and the procuring of an additional supply of pure and wholesome water for said city,' to authorize the common council to amend its resolution fixing the rate of interest on bonds to be issued thereunder, and ratifying and confirming the action of the city, its common council, board of water commissioners, officers and agents in respect to proceedings leading up to and including the passage of such resolution," was read the second time.

On motion of Mr. R. B. Waters, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 13, Int. No. 13) entitled "An act to amend chap-

ter two hundred and twenty-two of the Laws of eighteen hundred and seventy-nine, entitled 'An act to consolidate the several school districts in the town of Grand Island, Erie county, and to provide for the election of a board of education therein,' by adding two new sections with reference to distribution of funds," was read the second time.

On motion of Mr. MacGregor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 26, Int. No. 26) entitled "An act to legalize the proceedings of the city of Gloversville, leading up to and including its issuance and sale of bonds of said city in the amount of seventy-five thousand dollars for completing the erection of a high school building therein, and validate the bonds already issued and sold therefor, and to provide for the payment of the principal and interest of such bonds," was read the second time.

On motion of Mr. Hart, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 229, Int. No. 227) entitled "An act to amend chapter three hundred and eighty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the city of Cohoes to borrow money for the purpose of better equipping its fire department, and to issue and sell its bonds for the money so borrowed, and to provide for raising money by taxation in said city for the redemption of said bonds and the payment of interest thereon,' to authorize the common council to amend its resolution fixing the rate of interest on bonds to be issued thereunder, and ratifying and confirming the action of the city, its common council, officers and agents in respect to proceedings leading up to and including the passage of such resolution," was read the second time.

On motion of Mr. R. B. Waters, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 297, Int. No. 296) entitled "An act to amend chapter six hundred and eighty-three of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the police pension fund and firemen's pension fund in the city of Syracuse,' " was read the second time.

On motion of Mr. Hammond, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 44, Int. No. 44) entitled "An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds in the sum of two million dollars for the purpose of acquiring additional park lands and lands along the water front and improving the same,' authorizing the use of a part of the proceeds of the sale or sales of said bonds for improvements on park lands heretofore acquired by said city," was read the second time.

On motion of Mr. Neupert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 373, Int. No. 365) entitled "An act to amend the Highway Law by the addition of a new State route in the counties of Chemung, Schuyler and Tompkins," was read the second time.

On motion of Mr. McDaniels, said bill was placed on the order of third reading.

On motion of Mr. A. E. Smith, said bill was recommitted to the committee on ways and means, retaining its place on the order of third reading.

The bill (No. 306, Int. No. 305) entitled "An act to authorize the Maple Grove Cemetery Association of Worcester, Otsego county, New York, to accept a gift or bequest for the purpose of caring for a certain cemetery lot situate without the boundaries of the cemetery of such association," was read the second time.

On motion of Mr. Miller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 45, Int. No. 45) entitled "An act to legalize the official acts of certain justices of the peace and authorizing them to execute and file official bonds and official oaths and certificate," was read the second time.

On motion of Mr. Patrie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 24, Int. No. 24) entitled "An act to legalize, ratify and confirm the proceedings of the town of North Elba in the adoption of the proposition to authorize the securing of site and erecting a town building in the west end of the town and to raise and appropriate the sum of eight thousand dollars for such purpose and to issue bonds therefor, and to legalize the bonds of such town sold and awarded in pursuance thereof to the amount

of eight thousand dollars and to provide for the payment of the same," was read the second time.

On motion of Mr. Shea, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 195, Int. No. 194) entitled "An act to amend the Judiciary Law, in relation to actions or proceedings where one of the attorneys is a member of the Legislature," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 138, Int. No. 137) entitled "An act to legalize, ratify and confirm the proceedings for the appointment of commissioners for the drainage of certain swamp lands known as the 'Nanuet Meadows,' situated in the town of Clarkstown, county of Rockland, and to legalize, ratify and confirm certain acts and proceedings of such commissioners," was read the second time.

On motion of Mr. Blauvelt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 300, Int. No. 299) entitled "An act to legalize and validate certain bonds, for the construction and repair of bridges, of the town of Ellisburg in the county of Jefferson, in the proceedings heretofore taken for the issuance and sale thereof by the town board and legal voters of said town and the board of supervisors of Jefferson county and for the levy of a tax for the payment of the principal and interest thereof," was read the second time.

On motion of Mr. Day, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 283, Int. No. 281) entitled "An act to ratify, confirm and legalize the proceedings of the town of Irondequoit in the county of Monroe, had and taken in the matter of the establishment of a water district in said town; the sale, award and issuance of the bonds of said town to pay for the cost of constructing a water system in said water district; and to provide for the payment of said bonds," was read the second time.

On motion of Mr. White, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 70, Int. No. 71) entitled "An act to legalize the

issue of bonds of the town of Chateaugay in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of completing the erection of a town house, in said town, and to provide for the payment of the principal and interest thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140
NOES 00

Those who voted in the affirmative were:

Adler	Donnelly	Hammond	McElligott	Shlivek
Ahern	Drummond	Herrick J J	McGrath	Shortt
Allen	Ebbetts	Herrick W R	McKeon	Smith A E
Beach	Egan	Heyman	Merritt	Smith T K
Blauvelt	Evans	Higgins	Miller	Spielberg
Boylan	Farrell	Hinman	Monczynski	Stivers
Brace	Fay	Hoey	Mork	Sullivan
Brennan	Filley	Hoff	Murray	Sweet
Brereton	Fitzpatrick	Hollmann	Myers	Talmage
Bridenbecker	Foley	Hoyt	Neupert	Terry
Brooks	Friedman	Huber	Nolan	Thorn
Brown	Fry	Jackson	O'Connor	Trombly
Bryant	Geatons	Jameson	Oliver	Turley
Bush	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters F A
Coffey	Goldstein	Lansing	Parker J S	Waters R B
Collin	Goodman	LaReau	Patrie	Weil
Colné	Goodwin	Lent	Phillips C W	Wende
Connell	Gould	Levy A J	Pierce	Wheeler
Constantine	Graubard	Levy J	Saunders	White
Cosad	Gray	Macdonald	Schifferdecker	Wilson
Cross	Gregg	MacGregor	Seeley	Winters
Cuvillier	Gurnett	Manley	Shannon	Yale
Dawson	Hackett	Martin	Shea	Yeomans
Day	Haines	McCue	Sheide	Young
DeLano	Hart	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 7, Int. No. 7) entitled "An act to legalize, ratify and confirm the proceedings of the qualified voters and town board of the town of Eastchester, in the county of Westchester, the officers and agents thereof, and the proceedings of the board of su-

pervisors of said county, in the matter of the sale and award of the bonds of said town in the amount of five thousand three hundred dollars, and to provide for the payment of the interest and principal thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140
NOES 00

Those who voted in the affirmative were:

Adler	Donnelly	Hammond	McElligott	Shlivek
Ahern	Drummond	Herrick J J	McGrath	Shortt
Allen	Ebbetts	Herrick W R	McKeon	Smith A E
Beach	Egan	Heyman	Merritt	Smith T K
Blauvelt	Evans	Higgins	Miller	Spielberg
Boylan	Farrell	Hinman	Monczynski	Stivers
Brace	Fay	Hoey	Mork	Sullivan
Brennan	Filley	Hoff	Murray	Sweet
Brereton	Fitzpatrick	Hollmann	Myers	Talmage
Bridenbecker	Foley	Hoyt	Neupert	Terry
Brooks	Friedman	Huber	Nolan	Thorn
Brown	Fry	Jackson	O'Connor	Trombly
Bryant	Geatons	Jameson	Oliver	Turley
Bush	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters F A
Coffey	Goldstein	Lansing	Parker J S	Waters R B
Collin	Goodman	LaReau	Patrie	Weil
Colné	Goodwin	Lent	Phillips C W	Wende
Connell	Gould	Levy A J	Pierce	Wheeler
Constantine	Graubard	Levy J	Saunders	White
Cosad	Gray	Macdonald	Schifferdecker	Wilson
Cross	Gregg	MacGregor	Seeley	Winters
Cuvillier	Gurnett	Manley	Shannon	Yale
Dawson	Hackett	Martin	Shea	Yeomans
Day	Haines	McCue	Sheide	Young
DeLano	Hart	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 107, Int. No. 107) entitled "An act to amend chapter one hundred and three of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Ulster county a salaried office and regulating the management of said office,' in relation to the number and salaries of the clerks

thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140
NOES 00

Those who voted in the affirmative were:

Adler	Donnelly	Hammond	McElligott	Shlivek
Ahern	Drummond	Herrick J J	McGrath	Shortt
Allen	Ebbetts	Herrick W R	McKeon	Smith A E
Beach	Egan	Heyman	Merritt	Smith T K
Blauvelt	Evans	Higgins	Miller	Spielberg
Boylan	Farrell	Hinman	Monczynski	Stivers
Brace	Fay	Hoey	Mork	Sullivan
Brennan	Filley	Hoff	Murray	Sweet
Brereton	Fitzpatrick	Hollmann	Myers	Talmage
Bridenbecker	Foley	Hoyt	Neupert	Terry
Brooks	Friedman	Huber	Nolan	Thorn
Brown	Fry	Jackson	O'Connor	Trombly
Bryant	Geatons	Jameson	Oliver	Turley
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters F A
Coffey	Goldstein	Lansing	Parker J S	Waters R B
Collin	Goodman	LaReau	Patrie	Weil
Colné	Goodwin	Lent	Phillips C W	Wende
Connell	Gould	Levy A J	Pierce	Wheeler
Constantine	Graubard	Levy J	Saunders	White
Cosad	Gray	Macdonald	Schifferdecker	Wilson
Cross	Gregg	MacGregor	Seeley	Winters
Cuvillier	Gurnett	Manley	Shannon	Yale
Dawson	Hackett	Martin	Shea	Yeomans
Day	Haines	McCue	Sheide	Young
DeLano	Hart	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 11, Int. No. 11) entitled "An act to authorize the board of education of union free school district number four of the town of Rye, in the county of Westchester, to issue certificates of indebtedness for unpaid school taxes, and to provide for the payment of such certificates," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140
NOES 00

Those who voted in the affirmative were:

Adler	Donnelly	Hammond	McElligott	Shlivek
Ahern	Drummond	Herrick J J	McGrath	Shortt
Allen	Ebbetts	Herrick W R	McKeon	Smith A E
Beach	Egan	Heyman	Merritt	Smith T K
Blauvelt	Evans	Higgins	Miller	Spielberg
Boylan	Farrell	Hinman	Monczynski	Stivers
Brace	Fay	Hoey	Mork	Sullivan
Brennan	Filley	Hoff	Murray	Sweet
Brereton	Fitzpatrick	Hollmann	Myers	Talmage
Bridenbecker	Foley	Hoyt	Neupert	Terry
Brooks	Friedman	Huber	Nolan	Thorn
Brown	Fry	Jackson	O'Connor	Trombly
Bryant	Geatons	Jameson	Oliver	Turley
Bush	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters F A
Coffey	Goldstein	Lansing	Parker J S	Waters R B
Collin	Goodman	LaReau	Patrie	Weil
Colné	Goodwin	Lent	Phillips C W	Wende
Connell	Gould	Levy A J	Pierce	Wheeler
Constantine	Graubard	Levy J	Saunders	White
Cosad	Gray	Macdonald	Schifferdecker	Wilson
Cross	Gregg	MacGregor	Seeley	Winters
Cuvillier	Gurnett	Manley	Shannon	Yale
Dawson	Hackett	Martin	Shea	Yeomans
Day	Haines	McCue	Sheide	Young
DeLano	Hart	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 58, Int. No. 59) entitled "An act to legalize the establishment of the Roslyn water district in the town of North Hempstead, and the issuance and sale of the bonds of said town to install a water plant in said district, and to provide for the payment of said bonds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140
NOES 00

Those who voted in the affirmative were:

Adler	Donnelly	Hammond	McElligott	Shlivek
Ahern	Drummond	Herrick J J	McGrath	Shortt
Allen	Ebbetts	Herrick W R	McKeon	Smith A E
Beach	Egan	Heywan	Merritt	Smith T K
Blauvelt	Evans	Higgins	Miller	Spielberg
Boylan	Farrell	Hinman	Monczynski	Stivers
Brace	Fay	Hoey	Mork	Sullivan
Brennan	Filley	Hoff	Murray	Sweet
Brereton	Fitzpatrick	Hollmann	Myers	Talmage
Bridenbecker	Foley	Hoyt	Neupert	Terry
Brooks	Friedman	Huber	Nolan	Thorn
Brown	Fry	Jackson	O'Connor	Trombly
Bryant	Geatons	Jameson	Oliver	Turley
Bush	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters F A
Coffey	Goldstein	Lansing	Parker J S	Waters R B
Collin	Goodman	LaReau	Patrie	Weil
Colné	Goodwin	Lent	Phillips C W	Wende
Connell	Gould	Levy A J	Pierce	Wheeler
Constantine	Graubard	Levy J	Saunders	White
Cosad	Gray	Macdonald	Schifferdecker	Wilson
Cross	Gregg	MacGregor	Seeley	Winters
Cuvillier	Gurnett	Manley	Shannon	Yale
Dawson	Hackett	Martin	Shea	Yeomans
Day	Haines	McCue	Sheide	Young
DeLano	Hart	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 212, Int. No. 211) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140
NOES 00

Those who voted in the affirmative were:

Adler	Donnelly	Hammond	McElligott	Shlivek
Ahern	Drummond	Herrick J J	McGrath	Shortt
Allen	Ebbetts	Herrick W R	McKeon	Smith A E
Beach	Egan	Heyman	Merritt	Smith T K

Blauvelt	Evans	Higgins	Miller	Spielberg
Boylan	Farrell	Hinman	Monczynski	Stivers
Brace	Fay	Hoey	Mork	Sullivan
Brennan	Filley	Hoff	Murray	Sweet
Brereton	Fitzpatrick	Hollmann	Myers	Talmage
Bridenbecker	Foley	Hoyt	Neupert	Terry
Brooks	Friedman	Huber	Nolan	Thorn
Brown	Fry	Jackson	O'Connor	Trombly
Bryant	Geatons	Jameson	Oliver	Turley
Bush	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters F A
Coffey	Goldstein	Lansing	Parker J S	Waters R B
Collin	Goodman	LaReau	Patrie	Weil
Colné	Goodwin	Lent	Phillips C W	Wende
Connell	Gould	Levy A J	Pierce	Wheeler
Constantine	Graubard	Levy J	Saunders	White
Cosad	Gray	Macdonald	Schifferdecker	Wilson
Cross	Gregg	MacGregor	Seeley	Winters
Cuvillier	Gurnett	Manley	Shannon	Yale
Dawson	Hackett	Martin	Shea	Yeomans
Day	Haines	McCue	Sheide	Young
DeLano	Hart	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Oliver called up Assembly bill (No. 368, Int. No. 85), entitled "An act to amend chapter sixty-two of the Laws of nineteen hundred and nine, entitled 'An act in relation to taxation, constituting chapter sixty of the Consolidated Laws,' by inserting therein after section two hundred and seventy-one a new section, to be known as section two hundred and seventy-one-a, and amending section two hundred and seventy-five thereof," now on the order of third reading.

On motion of Mr. Oliver, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141
NOES 00

Those who voted in the affirmative were:

Adler	Donnelly	Hammond	McElligott	Shlivek
Ahern	Drummond	Herrick J J	McGrath	Shortt
Allen	Ebbetts	Herrick W R	McKeon	Smith A E
Beach	Egan	Heyman	Merritt	Smith T K

Blauvelt	Evans	Higgins	Miller	Spielberg
Boylan	Farrell	Hinman	Monczynski	Stivers
Brace	Fay	Hoey	Mork	Sullivan
Brennan	Filley	Hoff	Murray	Sweet
Brereton	Fitzpatrick	Hollmann	Myers	Talmage
Bridenbecker	Foley	Hoyt	Neupert	Terry
Brooks	Friedman	Huber	Nolan	Thorn
Brown	Fry	Jackson	O'Connor	Trombly
Bryant	Geatons	Jameson	Oliver	Turley
Bush	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters F A
Cheney	Goldstein	Lansing	Parker J S	Waters R B
Coffey	Goodman	LaReau	Patrie	Weil
Collin	Goodwin	Lent	Phillips C W	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White
Constantine	Gray	Macdonald	Schifferdecker	Wilson
Cosad	Gregg	MacGregor	Seeley	Winters
Cross	Gurnett	Manley	Shannon	Yale
Cuvillier	Hackett	Martin	Shea	Yeomans
Dawson	Haines	McCue	Sheide	Young
Day	Hart	McDaniels	Shepardson	Zorn
DeLano				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

On motion of Mr. A. E. Smith, the House adjourned until Friday, February 10th, at 11:30 o'clock A. M.

FRIDAY, FEBRUARY 10, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Arthur H. Beaty.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the New York State Veterinary College at Cornell, which was laid upon the table and ordered printed.

(See Assembly Document No. 29.)

Mr. Gillen introduced a bill entitled "An act to amend the Greater New York charter, in relation to powers of the police and fire commissioners to rehear charges and reinstate discharged members" (Int. No. 501), which was read the first time and referred to the committee on affairs of cities.

Mr. Hoey introduced a bill entitled "An act to amend the Greater New York charter, in regard to stage routes" (Int. No. 502), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Transportation Corporations Law, in relation to stage routes and extensions" (Int. No. 503), which was read the first time and referred to the committee on affairs of cities.

Mr. A. J. Levy introduced a bill entitled "An act to amend chapter forty-nine of the Laws of nineteen hundred and nine, entitled 'An act in relation to the public health, constituting chapter forty-five of the Consolidated Laws,' and known as the Public Health Law, in respect to conferring upon the city of New York control over the potable water supply of said city" (Int. No. 504), which was read the first time and referred to the committee on public health.

Mr. Shortt introduced a bill entitled "An act to amend the Greater New York charter, in relation to coroners and providing for an additional coroner in the borough of Richmond" (Int. No. 505), which was read the first time and referred to the committee on affairs of cities.

Mr. W. R. Herrick, by request, introduced a bill entitled "An act to amend the Code of Civil Procedure, in regard to giving additional security upon cancellation of notice of pendency of action or release of levy in certain cases" (Int. No. 506), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Civil Rights Law, in relation to exhibition of photographs" (Int. No. 507), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Judiciary Law, in relation to contempts" (Int. No. 508), which was read the first time and referred to the committee on the judiciary.

Mr. Foley introduced a bill entitled "An act to amend the Public Health Law, in relation to the issuance of licenses to practice as licensed pharmacists" (Int. No. 509), which was read the first time and referred to the committee on public health.

Mr. A. E. Smith introduced a bill entitled "An act to provide for the payment of the balance due newspapers for the publication

of concurrent resolutions of the Legislature of nineteen hundred and ten, proposing amendments to the Constitution of this State, and for deficiency in appropriation for the publication of other official notices required to be published as provided by law, which are subject to contract" (Int. No. 510), which was read the first time and referred to the committee on ways and means.

Mr. Pappert introduced a bill entitled "An act to legalize and confirm the official acts of notaries public and commissioners of deeds" (Int. No. 511), which was read the first time and referred to the committee on general laws.

Mr. Bush introduced a bill entitled "An act to amend the Public Health Law, in relation to burial and burial permits" (Int. No. 512), which was read the first time and referred to the committee on public health.

Also, "An act to amend the Public Health Law, relative to unlawful practice of veterinary medicine" (Int. No. 513), which was read the first time and referred to the committee on public health.

Mr. Cosad, from the committee on agriculture, to which was referred Assembly bill introduced by Mr. Miller (No. 279, Int. No. 277), entitled "An act to amend the Agricultural Law, in relation to cider vinegar."

Also, Assembly bill introduced by Mr. Ebbetts (No. 119, Int. No. 118), entitled "An act to amend the Agricultural Law, in relation to representations in the sale of certain articles of food kept or preserved in cold storage or refrigerating warehouses."

Also, Assembly bill introduced by Mr. Sweet (No. 152, Int. No. 151), entitled "An act to amend the Agricultural Law, in relation to actions against agricultural societies," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. MacGregor (No. 150, Int. No. 149), entitled "An act providing for the relief of certain taxpayers of the city of Buffalo by placing the cost of acquiring lands for the extension of Laurel street in said city upon the general fund."

Also, the bill introduced by Mr. Lincoln (No. 113, Int. No.

112), entitled "An act to validate certain bonds of the city of Jamestown."

Also, the bill introduced by Mr. MacGregor (No. 13, Int. No. 13), entitled "An act to amend chapter two hundred and twenty-two of the Laws of eighteen hundred and seventy-nine, entitled 'An act to consolidate the several school districts in the town of Grand Island, Erie county, and to provide for the election of a board of education therein,' by adding two new sections with reference to distribution of funds."

Also, the bill introduced by Mr. Hammond (No. 297, Int. No. 296), entitled "An act to amend chapter six hundred and eighty-three of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the police pension fund and firemen's pension fund of the city of Syracuse.' "

Also, the bill introduced by Mr. Hart (No. 26, Int. No. 26), entitled "An act to legalize the proceedings of the city of Gloversville, leading up to and including its issuance and sale of bonds of said city in the amount of seventy-five thousand dollars for completing the erection of a high school building therein, and validate the bonds already issued and sold therefor, and to provide for the payment of the principal and interest of such bonds."

Also, the bill introduced by Mr. Patrie (No. 45, Int. No. 45), entitled "An act to legalize the official acts of certain justices of the peace and authorizing them to execute and file official bonds and official oaths and certificates."

Also, the bill introduced by Mr. Miller (No. 306, Int. No. 305), entitled "An act to authorize the Maple Grove Cemetery Association of Worcester, Otsego county, New York, to accept a gift or bequest for the purpose of caring for a certain cemetery lot situate without the boundaries of the cemetery of such association."

Also, the bill introduced by Mr. Neupert (No. 44, Int. No. 44), entitled "An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds in the sum of two million dollars for the purpose of acquiring additional park lands and lands along the water front and improving the same,' authorizing the use of a part of the proceeds of the sale or sales of said bonds for improvements on park lands heretofore acquired by said city."

Also, the bill introduced by Mr. Shea (No. 24, Int. No. 24), entitled "An act to legalize, ratify and confirm the proceedings of the town of North Elba in the adoption of the proposition to authorize the securing of site and erecting a town building in the west end of the town and to raise and appropriate the sum of eight thousand dollars for such purpose and to issue bonds therefor, and to legalize the bonds of such town sold and awarded in pursuance thereof to the amount of eight thousand dollars and to provide for the payment of the same."

Also, the bill introduced by Mr. Day (No. 300, Int. No. 299), entitled "An act to legalize and validate certain bonds, for the construction and repair of bridges, of the town of Ellisburg in the county of Jefferson, in the proceedings heretofore taken for the issuance and sale thereof by the town board and legal voters of said town and the board of supervisors of Jefferson county and for the levy of a tax for the payment of the principal and interest thereof."

Also, the bill introduced by Mr. Wende (No. 195, Int. No. 194), entitled "An act to amend the Judiciary Law, in relation to actions or proceedings where one of the attorneys is a member of the Legislature."

Also, the bill introduced by Mr. White (No. 283, Int. No. 281), entitled "An act to ratify, confirm and legalize the proceedings of the town of Irondequoit in the county of Monroe, had and taken in the matter of the establishment of a water district in said town; the sale, award and issuance of the bonds of said town to pay for the cost of constructing a water system in said water district; and to provide for the payment of said bonds."

Also, the bill introduced by Mr. Blauvelt (No. 138, Int. No. 137), entitled "An act to legalize, ratify and confirm the proceedings for the appointment of commissioners for the drainage of certain swamp lands known as the 'Nanuet Meadows,' situated in the town of Clarkstown, county of Rockland, and to legalize, ratify and confirm certain acts and proceedings of such commissioners," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was

referred the bill introduced by Mr. R. B. Waters (No. 229, Int. No. 227), entitled "An act to amend chapter three hundred and eighty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the city of Cohoes to borrow money for the purpose of better equipping its fire department, and to issue and sell its bonds for the money so borrowed, and to provide for raising money by taxation in said city for the redemption of said bonds and the payment of interest thereon,' to authorize the common council to amend its resolution fixing the rate of interest on bonds to be issued thereunder, and ratifying and confirming the action of the city, its common council, officers and agents in respect to proceedings leading up to and including the passage of such resolution," reported the same with the following recommendations:

Page 1, line 7 of title, omit the words "to authorize the common council to amend its resolution fixing," and after the word "thereon" insert the words "in relation to".

Page 1, line 9 of title, after the word "thereunder" insert the words "authorizing the common council to amend a resolution heretofore passed in respect to the rate of such interest."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. R. B. Waters (No. 269, Int. No. 267), entitled "An act to amend chapter three hundred and ninety-two of the Laws of nineteen hundred and two, entitled 'An act to authorize the common council of the city of Cohoes to borrow money by the issuing of bonds for the improvement of the quality and quantity of the present water supply and the procuring of an additional supply of pure and wholesome water for said city,' to authorize the common council to amend its resolution fixing the rate of interest on bonds to be issued thereunder, and ratifying and confirming the action of the city, its common council, board of water commissioners, officers and agents in respect to proceedings leading up to and including the passage of such resolution," reported the same with the following recommendations:

Page 1, line 7 of title, after the word "city" omit the words "to authorize the common council to amend its resolution fixing" and insert the words "in relation to".

Page 1, line 9 of title, after the word "thereunder" insert the words "authorizing the common council to amend a resolution heretofore passed in respect to the rate of such interest."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Code of Civil Procedure, in relation to permitting certain classes of innkeepers or tavernkeepers to serve as justices of the peace." (No. 350, Int. No. 49.)

"An act to amend the Village Law, in relation to election on proposition to incorporate." (No. 32, Int. No. 32.)

"An act to amend chapter two hundred and twenty-two of the Laws of eighteen hundred and seventy-nine, entitled 'An act to consolidate the several school districts in the town of Grand Island, Erie county, and to provide for the election of a board of education therein,' by adding two new sections with reference to distribution of funds." (No. 13, Int. No. 13.)

"An act to legalize, ratify and confirm the proceedings of the town of North Elba in the adoption of the proposition to authorize the securing of site and erecting a town building in the west end of the town and to raise and appropriate the sum of eight thousand dollars for such purpose and to issue bonds therefor, and to legalize the bonds of such town sold and awarded in pursuance thereof to the amount of eight thousand dollars and to provide for the payment of the same." (No. 24, Int. No. 24.)

Mr. Oliver offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly five hundred extra copies of Assembly bill (No. 19, Int. No. 19), entitled "An act to amend the Penal Law, in relation to permitting labor and secular business on the first day of the week by certain persons."

which was referred to the committee on public printing.

Mr. Oliver offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly five hundred extra copies of Assembly bill (No. 18, Int. No. 18),

entitled "An act to provide for theatrical and other public performances in cities, on Sundays."

which was referred to the committee on public printing.

On motion of Mr. A. E. Smith, the consideration of to-day's calendar was postponed until Tuesday, February 14th.

Mr. Saunders of Columbia was excused until Monday next.

Mr. Washburn of Ulster was excused indefinitely.

The Senate returned the bill (No. 134, Int. No. 133), entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate, whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Ferris	Fiero	Wagner	3

FOR MARTIN W. LITTLETON.

Burd	1

FOR M. J. O'BRIEN.

Loomis	1

FOR EDWARD M. SHEPARD.

Roosevelt	1

When the roll was called the following pairs were announced:

Mr. Allen with Mr. Sullivan, T. D.; Mr. Argetsinger with Mr. Bayne; Mr. Brackett with Mr. Black; Mr. Bussey with Mr. Cullen; Mr. Coats with Mr. Frawley; Mr. Cobb with Mr. Gittins; Mr. Emerson with Mr. Grady; Mr. Griffith with Mr. Griffin;

Mr. Hamilton with Mr. Harden; Mr. Heacock with Mr. Harte; Mr. Hewitt with Mr. Long; Mr. Ormrod with Mr. McClelland; Mr. Platt with Mr. McManus; Mr. Rose with Mr. Murtaugh; Mr. Sage with Mr. O'Brien; Mr. Thomas with Mr. Ramsperger; Mr. Travis with Mr. Sanner; Mr. Wainwright with Mr. Stilwell; Mr. Walters with Mr. Sullivan, C. D.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Cuvillier	Jameson	Oliver	Smith A E	Frisbie	5

FOR CHAUNCEY M. DEPEW.

Filley	Hinman	Lansing	Nolan	4

FOR EDWARD M. SHEPARD.

Drummond	Fry	Terry	3

FOR ALTON B. PARKER.

McDaniels	1

FOR MARTIN W. LITTLETON.

Hollmann	1

FOR MARTIN H. GLYNN.

O'Connor	1

FOR JOHN D. KERNAN.

Brace	Cosad	2

FOR WILLIAM SULZER.

Kennedy	Myers	2

FOR GEORGE R. RIVES.

Martin	1

FOR J. H. DOUGHERTY.

Shortt	1

When the roll was called the following pairs were announced:

Mr. Graubard with Mr. Kopp; Mr. Stivers with Mr. Fay; Mr. Caughlan with Mr. T. K. Smith; Mr. Cross with Mr. Gillen; Mr. Goodwin with Mr. Hoey; Mr. Young with Mr. Warren; Mr. Brooks with Mr. Egan; Mr. Mork with Mr. Goodman; Mr. Gray with Mr. Weil; Mr. Jackson with Mr. DeLano; Mr. Parker, J. S., with Mr. Herrick, W. R.; Mr. Parker, A., with Mr. Con-

stantine; Mr. A. J. Levy with Mr. White; Mr. McCue with Mr. MacGregor; Mr. O'Neill, J. J., with Mr. Coffey; Mr. Goldberg with Mr. Shlivek; Mr. Manley with Mr. Allen; Mr. Neupert with Mr. Sullivan; Mr. Youmans with Mr. Gurnett; Mr. Wilson with Mr. Collin; Mr. Waters, R. B., with Mr. Hackett; Mr. Walker with Mr. Ebbetts; Mr. Bush with Mr. Yale; Mr. Ahern with Mr. Donovan; Mr. Higgins with Mr. Boylan; Mr. Gerken with Mr. Colne; Mr. Farrell with Mr. Connell; Mr. Pierce with Mr. Geatons; Mr. Murray with Mr. Foley; Mr. Goldstein with Mr. Hart; Mr. Pappert with Mr. Fitzgerald; Mr. O'Neil, M. A., with Mr. Hoff; Mr. Shannon with Mr. Seeley; Mr. Gerhardt with Mr. Macdonald; Mr. Monczynski with Mr. Brereton; Mr. Brennan with Mr. Hammond; Mr. Talmage with Mr. Sheide; Mr. Keys with Mr. Schifferdecker; Mr. Ward with Mr. J. Levy; Mr. Donnelly with Mr. Shea; Mr. Carew with Mr. Winters; Mr. Heyman with Mr. Lent; Mr. McElligott with Mr. Merritt; Mr. Gould with Mr. Waters, F. A.; Mr. Gregg with Mr. Jones; Mr. LaReau with Mr. Brown; Mr. Herrick, J. J., with Mr. Phillips, C. W.; Mr. Blauvelt with Mr. Adler; Mr. Bryant with Mr. McKeon; Mr. McGrath with Mr. Haines; Mr. Patrie with Mr. Shepardson.

Whole number of votes cast..... 27

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	3	5	8
For Chauncey M. Depew.....	0	4	4
For Edward M. Shepard.....	1	3	4
For Alton B. Parker.....	0	1	1
For Martin W. Littleton.....	1	1	2
For Martin H. Glynn.....	0	1	1
For John W. Kernan.....	0	2	2
For M. J. O'Brien.....	1	0	1
For William Sulzer	0	2	2
For George R. Rives.....	0	1	1
For J. H. Dougherty.....	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate an-

nounced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. A. E. Smith, the joint assembly took a recess until Saturday, February 11th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Saturday, February 11th, at 12 o'clock noon in the Assembly Chamber.

On motion of Mr. A. E. Smith, the House adjourned, until Saturday, February 12th, at 11:30 o'clock A. M.

SATURDAY, FEBRUARY 11, 1911.

The House met pursuant to adjournment.

Mr. A. E. Smith in the chair.

Prayer by Rev. Arthur H. Beaty.

On motion of Mr. O'Connor, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Cuvillier introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to action for divorce" (Int. No. 514), which was read the first time and referred to the committee on codes.

Mr. Lansing introduced a bill entitled "An act to protect the purity of the water supply of Rensselaer Water Company" (Int. No. 515), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Oliver introduced a bill entitled "An act to amend the General Municipal Law, in relation to examiners of accounts of municipalities" (Int. No. 516), which was read the first time and referred to the committee on general laws.

Mr. Goldberg introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to applications for liquor tax certificates for certain premises within two hundred feet of a church or schoolhouse" (Int. No. 517), which was read the first time and referred to the committee on excise.

Mr. Cuvillier introduced a bill entitled "An act to amend the Domestic Relations Law, in relation to marriage licenses" (Int. No. 518), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to annulment of marriage in certain cases" (Int. No. 519), which was read the first time and referred to the committee on codes.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend section four hundred and forty-seven of the Code of Civil Procedure." (No. 353, Int. No. 91.)

"An act to amend section fifteen hundred and ninety-four of the Code of Civil Procedure." (No. 351, Int. No. 92.)

"An act to amend section sixteen hundred and twenty-seven of the Code of Civil Procedure." (No. 352, Int. No. 93.)

"An act to confirm the acts of commissioners appointed to lay out and assess damages upon the opening of a public highway in the town of New Castle, in Westchester county; to legalize and confirm the acts and proceedings of David L. Barnum and Frank T. Bailey, as commissioners of highways of said town; to authorize the town board of auditors of said town to audit the contracts in relation to the building of said highway; and to authorize the said town to pay for the construction of said highway, and to raise money therefor." (No. 314, Int. No. 313.)

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate, whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Ferris Fiero Wagner 3

FOR MARTIN W. LITTLETON.

Burd 1

FOR EDWARD M. SHEPARD.

Roosevelt 1

When the roll was called the following pairs were announced:

Mr. Allen with Mr. Sullivan, T. D.; Mr. Argetsinger with Mr. Bayne; Mr. Brackett with Mr. Black; Mr. Bussey with Mr. Cullen; Mr. Coats with Mr. Frawley; Mr. Cobb with Mr. Gittins; Mr. Emerson with Mr. Grady; Mr. Griffith with Mr. Griffin; Mr. Hamilton with Mr. Harden; Mr. Heacock with Mr. Harte; Mr. Hewitt with Mr. Long; Mr. Ormrod with Mr. McClelland; Mr. Platt with Mr. McManus; Mr. Rose with Mr. Murtaugh; Mr. Sage with Mr. O'Brien; Mr. Thomas with Mr. Ramsperger; Mr. Travis with Mr. Sanner; Mr. Wainwright with Mr. Stilwell; Mr. Walters with Mr. Sullivan, C. D.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Jameson Smith A E 2

FOR CHAUNCEY M. DEPEW.

Hinman Lansing 2

FOR EDWARD M. SHEPARD.

Drummond 1

FOR MARTIN H. GLYNN.

O'Connor 1

FOR WILLIAM SULZER.

Myers 1

FOR GEORGE L. RIVES.

Martin 1

FOR J. H. DOUGHERTY.

Shortt 1

When the roll was called the following pairs were announced:

Mr. Graubard with Mr. Kopp; Mr. Stivers with Mr. Fay; Mr. Caughlan with Mr. T. K. Smith; Mr. Cross with Mr. Gillen;

Mr. Goodwin with Mr. Hoey; Mr. Young with Mr. Warren; Mr. Brooks with Mr. Egan; Mr. Mork with Mr. Goodman; Mr. Gray with Mr. Weil; Mr. Jackson with Mr. DeLano; Mr. Parker, J. S., with Mr. Herrick, W. R.; Mr. Parker, A., with Mr. Constantine; Mr. A. Levy with Mr. White; Mr. McCue with Mr. MacGregor; Mr. O'Neill, J. J., with Mr. Coffey; Mr. Goldberg with Mr. Shlivek; Mr. Manley with Mr. Allen; Mr. Neupert with Mr. Sullivan; Mr. Youmans with Mr. Gurnett; Mr. Wilson with Mr. Collin; Mr. Waters, R. B., with Mr. Hackett; Mr. Walker with Mr. Ebbetts; Mr. Bush with Mr. Yale; Mr. Ahern with Mr. Donovan; Mr. Higgins with Mr. Boylan; Mr. Gerken with Mr. Colne; Mr. Farrell with Mr. Connell; Mr. Pierce with Mr. Geatons; Mr. Murray with Mr. Foley; Mr. Goldstein with Mr. Hart; Mr. Pappert with Mr. Fitzgerald; Mr. O'Neil, M. A., with Mr. Hoff; Mr. Shannon with Mr. Seeley; Mr. Gerhardt with Mr. Macdonald; Mr. Monczynski with Mr. Brereton; Mr. Brennan with Mr. Hammond; Mr. Talmage with Mr. Sheide; Mr. Keys with Mr. Schifferdecker; Mr. Ward with Mr. J. Levy; Mr. Donnelly with Mr. Shea; Mr. Carew with Mr. Winters; Mr. Heyman with Mr. Lent; Mr. McElligott with Mr. Merritt; Mr. Gould with Mr. Waters, F. A.; Mr. Gregg with Mr. Jones; Mr. LaReau with Mr. Brown; Mr. Herrick, J. J., with Mr. Phillips, C. W.; Mr. Blauvelt with Mr. Adler; Mr. Bryant with Mr. McKeon; Mr. McGrath with Mr. Haines; Mr. Patrie with Mr. Shepardson; Mr. Frisbie with Mr. Lincoln; Mr. Oliver with Mr. Nolan; Mr. Cuvillier with Mr. Filley.

Whole number of votes cast..... 14

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	3	2	5
For Chauncey M. Depew.....	0	2	2
For Edward M. Shepard.....	1	1	2
For Martin W. Littleton.....	1	0	1
For Martin H. Glynn.....	0	1	1
For William Sulzer	0	1	1
For George R. Rives.....	0	1	1
For J. H. Dougherty.....	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Ferris, the joint assembly took a recess until Monday, February 13th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Monday, February 13th, at 12 o'clock noon in the Assembly Chamber.

Mr. Terry of Kings was excused for the day.

Mr. Fry of Kings, Mr. Kennedy of Queens, Mr. Hollmann of Nassau and Mr. McDaniels of Tompkins were excused until Tuesday the 14th instant.

On motion of Mr. O'Connor, the House adjourned until Monday, February 13th, at 11 o'clock A. M.

MONDAY, FEBRUARY 13, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. A. E. Smith, the reading of the journal of Saturday, February 11th, was dispensed with and the same was approved.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll

of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Fiero	Wagner	2

FOR EDWARD M. SHEPARD.

Roosevelt	1

FOR MARTIN W. LITTLETON.

Burd	1

FOR WILLIAM SULZER.

White	1

When the roll was called the following pairs were announced:

Mr. Allen with Mr. Sullivan, T. D.; Mr. Argetsinger with Mr. Bayne; Mr. Brackett with Mr. Black; Mr. Bussey with Mr. Cullen; Mr. Coats with Mr. Frawley; Mr. Cobb with Mr. Gittins; Mr. Emerson with Mr. Grady; Mr. Griffith with Mr. Griffin; Mr. Hamilton with Mr. Harden; Mr. Heacock with Mr. Harte; Mr. Platt with Mr. Long; Mr. Ormrod with Mr. McClelland; Mr. Platt with Mr. McManus; Mr. Rose with Mr. Murtaugh; Mr. Sage with Mr. O'Brien; Mr. Thomas with Mr. Ramsperger; Mr. Travis with Mr. Sanner; Mr. Wainwright with Mr. Stilwell; Mr. Walters with Mr. Sullivan, C. D.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Frisbie	Jameson	Levy A J	Oliver	Smith A E	5

FOR CHAUNCEY M. DEPEW.

Hinman	Lansing	2

FOR EDWARD M. SHEPARD.

Drummond	Friedman	Terry	3

FOR MARTIN H. GLYNN.

O'Connor	1

FOR JOHN D. KERNAN.

Brace	Bridenbecker	2

FOR WILLIAM SULZER.

Myers	1

FOR J. H. DOUGHERTY.

Shortt 1

FOR J. FOSTER PEABODY.

Martin 1

When the roll was called the following pairs were announced:

Mr. Graubard with Mr. Kopp; Mr. Stivers with Mr. Fay; Mr. Caughlan with Mr. T. K. Smith; Mr. Cross with Mr. Gillen; Mr. Goodwin with Mr. Hoey; Mr Young with Mr. Warren; Mr. Brooks with Mr. Egan; Mr. Mork with Mr. Goodman; Mr. Gray with Mr. Weil; Mr. Jackson with Mr. DeLano; Mr. Parker, J. S., with Mr. Herrick, W. R.; Mr. Parker, A., with Mr. Constantine; Mr. A. J. Levy with Mr. White; Mr. McCue with Mr. MacGregor; Mr. O'Neill, J. J., with Mr. Coffey; Mr. Goldberg with Mr. Shlivek; Mr. Manley with Mr. Allen; Mr. Neupert with Mr. Sullivan; Mr. Yeomans with Mr. Gurnett; Mr. Wilson with Mr. Collin; Mr. Waters, R. B., with Mr. Hackett; Mr. Walker with Mr. Ebbetts; Mr. Bush with Mr. Yale; Mr. Ahern with Mr. Donovan; Mr. Higgins with Mr. Boylan; Mr. Gerken with Mr. Colne; Mr. Farrell with Mr. Connell; Mr. Pierce with Mr. Geatons; Mr. Murray with Mr. Foley; Mr. Goldstein with Mr. Hart; Mr. Pappert with Mr. Fitzgerald; Mr. O'Neil, M. A., with Mr. Hoff; Mr. Shannon with Mr. Seeley; Mr. Gerhardt with Mr. Macdonald; Mr. Monczynski with Mr. Brereton; Mr. Brennan with Mr. Hammond; Mr. Talmage with Mr. Sheide; Mr. Keys with Mr. Schifferdecker; Mr. Ward with Mr. J. Levy; Mr. Donnelly with Mr. Shea; Mr. Carew with Mr. Winters; Mr. Heyman with Mr. Lent; Mr. McElligott with Mr. Merritt; Mr. Gould with Mr. Waters, F. A.; Mr. Gregg with Mr. Jones; Mr. LaReau with Mr. Brown; Mr. Herrick, J. J., with Mr. Phillips, C. W.; Mr. Blauvelt with Mr. Adler; Mr. Bryant with Mr. McKeon; Mr. McGrath with Mr. Haines; Mr. Patrie with Mr. Shepardson; Mr. Cuvillier with Mr. Filley.

Whole number of votes cast..... 21

	Senators.	Assemblymen.	Total.
For William F. Sheehan	2	5	7
For Chauncey M. Depew	0	2	2
For Edward M. Shepard	1	3	4

	Senators.	Assemblymen.	Total.
For Martin W. Littleton	1	0	1
For Martin H. Glynn	0	1	1
For John W. Kernan	0	2	2
For William Sulzer	1	1	2
For J. H. Dougherty	0	1	1
For J. Foster Peabody	0	1	1

A quorum of all the Senators and Members of Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew, whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. A. E. Smith, the joint assembly took a recess until Tuesday, February 14th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting, no choice had been made and that the joint assembly had adjourned to meet Tuesday, February 14th, at 12 o'clock noon in the Assembly Chamber.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Whereas, The election of United States Senators by direct vote of the people themselves will increase popular confidence in and respect for the upper house of the National Legislature.

Resolved (if the Senate concur), That the Legislature respectfully requests the Senators and Representatives in Congress from this State to use their best endeavors, at the present session, for the adoption of a resolution to submit to the Legislatures of the several States an amendment to the Constitution of the United States providing for the election of United States Senators in the several States by the direct vote of the people.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Whereas, There is now before Congress of the United States a bill to grant pensions to the Union soldiers who fought in the Civil War, a pension of a dollar a day; and

Whereas, The uniform policy of the government in the matter of granting pensions to these gallant and devoted men, who fought to save the life of the nation in the perilous days of the great Civil War, has always been of the most liberal character. Those men are now passing away rapidly. The best obtainable official statistics show that they are dying at the rate of something over three thousand a month, and in view of their advancing years, this rate must inevitably, in proportion, rapidly increase. To the man who risked everything on the field of battle to save the nation in the hour of its direst need, we owe a debt which has not been and should not be computed in a begrudging or parsimonious spirit with an old veteran now tottering on the brink of the grave. The true spirit of the pension laws is to be found in the noble sentiments expressed by Mr. Lincoln in his last inaugural address, wherein, in speaking of the Nation's duty to its soldiers when the struggle should be over, he said we should "care for him who shall have borne the battle, and for his widow and orphans."

Resolved (if the Senate concur), That it is the sense of the Legislature of the State of New York that the Union soldiers of the Civil War should receive as a pension from the government of the United States, which at the hour of its direst need they saved, it is befitting that the government should grant each soldier a pension of a dollar per day; and be it further

Resolved, That a copy of this resolution be sent by the President of the Senate and the Speaker of the Assembly to each United States Senator and member of the House of Representatives at Washington, D. C.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. A. E. Smith gives notice that he will on Monday, February 20th, call up his resolution in relation to the election of United States Senator in Congress by direct vote introduced February 13th, and laid on the table under the rule.

On motion of Mr. A. E. Smith, the House adjourned until Tuesday, February 14th, at 11 o'clock.

TUESDAY, FEBRUARY 14, 1911.

The House met pursuant to adjournment.

Prayer by Rev. E. A. Ottman, Richmondville, N. Y.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Donovan	Herrick W R	McGrath	Shlivek
Ahern	Drummond	Higgins	McKeon	Shortt
Allen	Ebbetts	Hinman	Merritt	Smith A E
Baumes	Egan	Hoey	Miller	Smith T K
Blauvelt	Evans	Hoff	Monczynski	Spielberg
Boylan	Farrell	Hollmann	Mork	Stivers
Brace	Fay	Hoyt	Murray	Sullivan
Brennan	Filley	Huber	Myers	Talmage
Bridenbecker	Fitzpatrick	Jackson	Neupert	Terry
Brooks	Foley	Jameson	Nolan	Thorn
Brown	Friedman	Jones	O'Connor	Trombly
Bryant	Fry	Kennedy	Oliver	Turley
Bush	Geatons	Keys	O'Neill J J	Walker
Butler	Gerhardt	Kopp	O'Neil M A	Ward
Carew	Gerken	Lansing	Pappert	Waring
Caughlan	Gillen	LaReau	Parker A	Warren
Chanler	Goldberg	Lent	Parker J S	Washburn
Coffey	Goldstein	Levy A J	Patrie	Waters R B
Collin	Goodman	Levy J	Phillips C W	Weil
Connell	Goodwin	Lincoln	Pierce	Wende
Constantine	Graubard	Macdonald	Saunders	Wheeler
Cosad	Gray	MacGregor	Schifferdecker	Wilson
Cross	Gregg	Manley	Seeley	Winters
Cuvillier	Hackett	Martin	Shannon	Yale
Dawson	Haines	McCue	Shea	Young
Day	Hart	McDaniels	Sheide	Zorn
DeLano	Hammond	McElligott	Shepardson	Speaker
Donnelly	Hearn			

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented the annual report of the Berkshire Industrial Farm, which was laid upon the table.

Mr. Bush introduced a bill entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of

Elmira,' relating to ward boundaries" (Int. No. 520), which was read the first time and referred to the committee on affairs of cities.

Mr. Dawson introduced a bill entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter two hundred and forty-three of the Laws of nineteen hundred and three, in relation to the fire department of said city" (Int. No. 521), which was read the first time and referred to the committee on affairs of cities.

Mr. M. A. O'Neil introduced a bill entitled "An act to amend the General Business Law, in relation to private banking, and making the same applicable to the entire State" (Int. No. 522), which was read the first time and referred to the committee on banks.

Mr. Goldstein introduced a bill entitled "An act to amend the Stock Corporation Law, in relation to annual reports of stock corporations" (Int. No. 523), which was read the first time and referred to the committee on general laws.

Mr. A. E. Smith introduced a bill entitled "An act to amend the Education Law, in relation to court libraries" (Int. No. 524), which was read the first time and referred to the committee on public education.

Also, "An act to amend the Personal Property Law and the Lien Law, in relation to liens upon merchandise and the proceeds thereof created by agreement for the purpose of securing the repayment of loans or advances upon the security of said merchandise" (Int. No. 525), which was read the first time and referred to the committee on the judiciary.

Mr. Wende introduced a bill entitled "An act to amend the Lackawanna city charter, in relation to the election and the powers and duties of a supervisor" (Int. No. 526), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter three hundred and fifty-seven of the Laws of nineteen hundred and five, entitled 'An act to revise the several acts relative to the city of Tonawanda,' in relation to the election and the powers and duties of a supervisor" (Int. No. 527), which was read the first time and referred to the committee on affairs of cities.

Mr. Merritt introduced a bill entitled "An act providing for the reconstruction of the old portion of the Potsdam State Normal and Training School" (Int. No. 528), which was read the first time and referred to the committee on ways and means.

Mr. Wende introduced a bill entitled "An act to amend the Lackawanna city charter, in relation to definitions" (Int. No. 529), which was read the first time and referred to the committee on affairs of cities.

Mr. Brennan introduced a bill entitled "An act to amend the Civil Service Law by adding thereto several sections in relation to the retirement with pensions of civil employees" (Int. No. 530), which was read the first time and referred to the committee on the judiciary.

Mr. Donovan introduced a bill entitled "An act to provide for necessary repairs, improvements and betterments to the State armory in the borough of Brooklyn in the city of New York, occupied by the Forty-seventh Regiment, National Guard, State of New York, and making an appropriation therefor" (Int. No. 531), which was read the first time and referred to the committee on ways and means.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Fiero	Harte	Murtaugh	Sanner	
Black	Frawley	Long	O'Brien	Sullivan C D	
Cronin	Gittins	McClelland	Pollock	Sullivan T D	
Cullen	Griffin	McManus	Ramsperger	Wagner	
Ferris	Harden				22

FOR CHAUNCEY M. DEPEW.

Allen	Cobb	Hewitt	Platt	Travis	
Argetsinger	Emerson	Hinman	Sage	Wainwright	
Bussey	Griffith	Ormrod	Thomas	Walters	
Coats	Heacock				17

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR MARTIN W. LITTLETON.

Burd 1

FOR MARTIN H. GLYNN.

Duhamel 1

FOR M. J. O'BRIEN.

Loomis 1

FOR WILLIAM SULZER.

White 1

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Farrell	Gregg	McCue	Schifferdecker	
Boylan	Fay	Hackett	McElligott	Seeley	
Brennan	Fitzpatrick	Hearn	McGrath	Sheide	
Bush	Foley	Herrick W R	MeKeon	Smith A E	
Carew	Frisbie	Heyman	Monczynski	Spielberg	
Caughlan	Geatons	Hoey	Mork	Turly	
Collin	Gerhardt	Jackson	Neupert	Walker	
Cuvillier	Gerken	Jameson	Oliver	Warren	
Dawson	Gillen	LaReau	O'Neill J J	Weil	
Donnelly	Goldberg	Levy A J	O'Neil M A	Wende	
Donovan	Goldstein	Levy J	Parker A	Zorn	
Egan	Graubard	Manley	Patrie		59

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN W. LITTLETON.

Hollmann Hoyt 2

FOR MARTIN H. GLYNN.

O'Connor Saunders 2

FOR JOHN D. KERNAN.

Brace	Cosad	Day	Miller	Trombly	
Bridenbecker					6

FOR WILLIAM SULZER.

Kennedy Myers 2

FOR J. C. R. TAYLOR.

Evans 1

FOR J. H. DOUGHERTY.

Shortt 1

FOR G. FOSTER PEABODY.

Martin 1

FOR CHAUNCEY M. DEPEW.

Adler	DeLano	Hoff	Nolan	Sullivan	
Ahern	Ebbetts	Jones	Pappert	Talmage	
Allen	Filley	Keys	Parker J S	Thorn	
Brooks	Goodman	Kopp	Phillips C W	Ward	
Bryant	Goodwin	Lansing	Prierce	Waring	
Butler	Gray	Lent	Shannon	Waters R B	
Coffey	Haines	Lincoln	Seha	Wilson	
Colne	Hammond	Macdonald	Shepardson	Winters	
Connell	Hart	MacGregor	Shlivek	Yale	
Constantine	Higgins	Merritt	Smith T K	Young	
Cross	Hinman	Murray	Stievrs		54

FOR EDWARD M. SHEPARD.

Chanler	Friedman	Huber	Terry	Wheeler	
Drummond	Fry				7

Whole number of votes cast..... 181

Necessary to a choice..... 91

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	22	59	81
For Chauncey M. Depew.....	17	54	71
For Edward M. Shepard.....	2	7	9
For Alton B. Parker.....	0	1	1
For Martin W. Littleton.....	1	2	3
For Martin H. Glynn.....	1	2	3
For John W. Kernan.....	0	6	6
For M. J. O'Brien.....	1	0	1
For J. C. R. Taylor.....	0	1	1
For William Sulzer	1	2	3
For J. H. Dougherty.....	0	1	1
For G. Foster Peabody.....	0	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Wednesday, February 15th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been

made and that the joint assembly had adjourned to meet Wednesday, February 15th, at 12 o'clock noon in the Assembly Chamber.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *February 7*, 1911.

Whereas, The present limitations upon the size and weight of articles which may be carried by the United States mails do not accord with the progressive policies of other countries on this subject; and

Whereas, A general extension of the parcels post system so as to increase the size and weight of the articles which may be so carried will greatly promote the convenience of the public.

Resolved (if the Assembly concur), That the Legislature respectfully requests the Senators and Representatives in the Congress of the United States to effect the passage of a law, at the present session, extending the parcels post system accordingly.

By order of the Senate.

PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. Bush offered for the consideration of the House a resolution, in the words following:

Whereas, A bill (H. R. No. 29,346), known as the Sulloway Bill, granting pensions to certain enlisted men, soldiers and officers who served in the Civil War and the War with Mexico, has passed the House of Representatives, in the Congress of the United States, and is now pending in the Senate; therefore, be it

Resolved (if the Senate concur), That we heartily approve of the provisions of said bill, and we hereby respectfully request our Senators in Congress to vote for and use every honorable means to secure its passage by the Senate of the United States just as it passed the House of Representatives, without alteration or amendment, as to benefits provided.

Resolved, That copies of this resolution, signed by the respective officers of the House, be sent to each of the Senators from New York in the Congress of the United States.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to ratify, confirm and legalize the proceedings of the town of Irondequoit in the county of Monroe, had and taken in the matter of the establishment of a water district in said town; the sale, award and issuance of the bonds of said town to pay for the cost of constructing a water system in said water district; and to provide for the payment of said bonds." (No. 283, Int. No. 281.)

"An act to legalize the official acts of certain justices of the peace and authorizing them to execute and file official bonds and official oaths and certificate." (No. 45, Int. No. 45.)

"An act to amend chapter six hundred and eighty-three of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the police pension fund and firemen's pension fund of the city of Syracuse." (No. 297, Int. No. 296.)

"An act to validate certain bonds of the city of Jamestown." (No. 113, Int. No. 112.)

"An act providing for the relief of certain taxpayers of the city of Buffalo by placing the cost of acquiring lands for the extension of Laurel street in said city upon the general fund." (No. 150, Int. No. 149.)

"An act to legalize, ratify and confirm the proceedings for the appointment of commissioners for the drainage of certain swamp lands known as the 'Nanuet Meadows,' situated in the town of Clarkstown, county of Rockland, and to legalize, ratify and confirm certain acts and proceedings of such commissioners." (No. 138, Int. No. 137.)

"An act to legalize and validate certain bonds, for the construction and repair of bridges, of the town of Ellisburg in the county of Jefferson, in the proceedings heretofore taken for the issuance and sale thereof by the town board and legal voters of said town and the board of supervisors of Jefferson county and for the levy

of a tax for the payment of the principal and interest thereof." (No. 300, Int. No. 299.)

"An act to amend the Judiciary Law, in relation to actions or proceedings where one of the attorneys is a member of the Legislature." (No. 195, Int. No. 194.)

"An act to legalize the proceedings of the city of Gloversville, leading up to and including its issuance and sale of bonds of said city in the amount of seventy-five thousand dollars for completing the erection of a high school building therein, and validate the bonds already issued and sold therefor, and to provide for the payment of the principal and interest of such bonds." (No. 26, Int. No. 26.)

"An act to authorize the Maple Grove Cemetery Association of Worcester, Otsego county, New York, to accept a gift or bequest for the purpose of caring for a certain cemetery lot situate without the boundaries of the cemetery of such association." (No. 306, Int. No. 305.)

"An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds in the sum of two million dollars for the purpose of acquiring additional park lands and lands along the water front and improving the same, authorizing the use of a part of the proceeds of the sale or sales of said bonds for improvements on park lands heretofore acquired by said city." (No. 44, Int. No. 44.)

The bill (No. 95, Int. No. 95) entitled "An act providing for the assessment and taxation of lands owned by the State in the county of Rockland," was read the second time.

On motion of Mr. Blauvelt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 275, Int. No. 273) entitled "An act providing for the installing of an elevator in the State armory at Elmira for the use of the several posts of the Grand Army of the Republic occupying the third story of said armory, pursuant to chapter two hundred and eighty-three, Laws of eighteen hundred and eighty-seven, and making an appropriation therefor," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 160, Rec. No. 9) entitled "An act making appropriations for certain immediate expenses of the Legislature, and providing for deficiencies in former appropriations therefor," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading.

By unanimous consent, Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of the bill (No. 267, Int. No. 265), entitled "An act to reappropriate certain unexpended balances for the State Commission in Lunacy."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, on motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140
NOES 00

Those who voted in the affirmative were:

Adler	Donnelly	Hearn	McElligott	Shepardson
Ahern	Donovan	Herrick W R	McGrath	Shlivek
Allen	Drummond	Heyman	McKeon	Shortt
Beach	Ebbetts	Higgins	Merritt	Smith A E
Blauvelt	Egan	Hinman	Miller	Smith T K
Boylan	Evans	Hoey	Monczynski	Spielberg
Brace	Farrell	Hoff	Mork	Stivers
Brennan	Fay	Hollmann	Murray	Sullivan
Bridenbecker	Filley	Hoyt	Myers	Talmage
Brooks	Fitzpatrick	Huber	Neupert	Terry
Brown	Foley	Jackson	Nolan	Thorn

Bryant	Friedman	Jameson	O'Connor	Trombly
Bush	Fry	Jones	Oliver	Turley
Butler	Geatons	Kennedy	O'Neill J J	Walker
Carew	Gerhardt	Keys	O'Neil M A	Ward
Caughlan	Gerken	Kopp	Pappert	Waring
Chanler	Gillen	Lansing	Parker A	Warren
Coffey	Goldberg	LaReau	Parker J S	Washburn
Collin	Goldstein	Lent	Patrie	Waters F A
Colné	Goodman	Levy A J	Phillips C W	Waters R B
Connell	Goodwin	Levy J	Phillips J S	Weil
Constantine	Graubard	Lincoln	Pierce	Wende
Cosad	Gray	Macdonald	Saunders	Wheeler
Cross	Gregg	MacGregor	Schifferdecker	Wilson
Cuvillier	Hackett	Manley	Seeley	Winters
Dawson	Haines	Martin	Shannon	Yale
Day	Hart	McCue	Shea	Young
DeLano	Hammond	McDaniels	Sheide	Zorn

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The Senate bill (No. 135, Rec. No. 10) entitled "An act to reappropriate certain unexpended balances for the State Commission in Lunacy," having been announced for a second reading,

On motion of Mr. A. E. Smith, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 152, Int. No. 151) entitled "An act to amend the Agricultural Law, in relation to actions against agricultural societies," having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 279, Int. No. 277) entitled "An act to amend the Agricultural Law, in relation to cider vinegar," was read the second time.

On motion of Mr. Miller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 119, Int. No. 118) entitled "An act to amend the Agricultural Law, in relation to representations in the sale of certain articles of food kept or preserved in cold storage or refrigerating warehouses," having been announced for second reading, debate was had thereon.

On motion of Mr. Ebbetts, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 470, Int. No. 322) entitled "An act to amend the

Judiciary Law, in relation to salaries of attendants and messengers of surrogates' court of New York county and to repeal chapter four hundred and eighty-seven of the Laws of nineteen hundred and six, relative to the same subject," was read the second time.

On motion of Mr. Goldberg, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 471, Int. No. 132) entitled "An act to amend the Military Law, in relation to vacations of employees in armories and arsenals," was read the second time.

On motion of Mr. MacGregor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 512, Int. No. 262) entitled "An act to amend the Code of Criminal Procedure, in relation to admission to bail," was read the second time.

On motion of Mr. Goldberg, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 513, Int. No. 33) entitled "An act to amend the Code of Criminal Procedure, relative to admitting the defendant to bail," was read the second time.

On motion of Mr. Goldberg, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 514, Int. No. 224) entitled "An act to amend the Code of Civil Procedure, in relation to examinations in proceedings supplemental to execution," having been announced for a second reading,

On motion of Mr. Goodman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 515, Int. No. 60) entitled "An act to amend the Code of Civil Procedure, relating to the examination by the surrogate of the county wherein the witnesses reside of the subscribing witnesses to a will offered for probate in another county," having been announced for a second reading,

On motion of Mr. M. A. O'Neil, said bill was recommitted to the committee on codes, retaining its place on the order of second reading.

The bill (No. 350, Int. No. 49) entitled "An act to amend the Code of Civil Procedure, in relation to permitting certain classes

of innkeepers or tavern-keepers to serve as justices of the peace," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 81
NOES 39

Those who voted in the affirmative were:

Adler	Day	Hearn	McKeon	Smith A E
Blauvelt	Donovan	Herrick W R	Miller	Spielberg
Boylan	Drummond	Heyman	Monczynski	Talmage
Brace	Egan	Hinman	Mork	Terry
Brennan	Evans	Hoey	Neupert	Thorn
Bridenbecker	Fay	Hoyt	O'Connor	Trombly
Brooks	Fitzpatrick	Jackson	Oliver	Turley
Brown	Foley	Jameson	O'Neill J J	Walker
Bush	Friedman	Levy A J	O'Neil M A	Ward
Calew	Fry	Levy J	Parker A	Warren
Caughlan	Gillen	MacGregor	Patrie	Weil
Coffey	Goldberg	Manley	Saunders	Wende
Collin	Goldstein	Martin	Seeley	Wheeler
Constantine	Goodman	McCue	Shea	Yale
Cosad	Graubard	McDaniels	Sheide	Young
Cuvillier	Gregg	McElligott	Shortt	Zorn
Dawson				

Those who voted in the negative were:

Allen	Gerhardt	Hollmann	Macdonald	Shlivek
Butler	Goodwin	Huber	Merritt	Smith T K
Colné	Hackett	Jones	Murray	Stivers
Connell	Haines	Keys	Myers	Sullivan
Cross	Hart	Kopp	Pappert	Waters R B
DeLano	Hammond	Lansing	Phillips C W	Wilson
Donnelly	Higgins	Lent	Shannon	Winters
Ebbetts	Hoff	Lincoln	Shepardson	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 32, Int. No. 32) entitled "An act to amend the Village Law, in relation to election on proposition to incorporate," having been announced for a third reading,

On motion of Mr. A. J. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 130, Int. No. 129) entitled "An act to amend

the Executive Law, in relation to the expenses incurred by the Attorney-General in attending any term of the Supreme Court or appearing before the grand jury thereof," having been announced for third reading, debate was had thereon.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 76
NOES 47

Those who voted in the affirmative were:

Blauvelt	Farrell	Heyman	McGrath	Seeley
Boylan	Fay	Hollmann	McKeon	Sheide
Brace	Fitzpatrick	Hoyt	Miller	Shortt
Brennan	Foley	Huber	Monczynski	Smith A E
Bridenbecker	Friedman	Jackson	Mork	Spielberg
Bush	Fry	Jameson	Myers	Terry
Carew	Geatons	Kennedy	Neupert	Trombly
Caughlan	Gerhardt	LaReau	O'Connor	Turley
Collin	Gerken	Levy A J	Oliver	Walker
Cosad	Gillen	Levy J	O'Neill J J	Warren
Cuvillier	Goldberg	Manley	O'Neil M A	Weil
Dawson	Graubard	Martin	Parker A	Wende
Day	Hackett	McCue	Patrie	Wheeler
Donnelly	Hearn	McDaniels	Saunders	Zorn
Donovan	Herrick W R	McElligott	Schifferdecker	Speaker
Egan				

Those who voted in the negative were:

Adler	Ebbetts	Hoff	Nolan	Stivers
Ahern	Evans	Jones	Pappert	Sullivan
Allen	Goodman	Keys	Parker J S	Talmage
Brooks	Goodwin	Lansing	Phillips C W	Thorn
Brown	Gray	Lincoln	Shannon	Ward
Butler	Gregg	Macdonald	Shea	Waters R B
Coffey	Hart	MacGregor	Shepardson	Wilson
Colné	Hammond	Merritt	Shlivek	Winters
Connell	Higgins	Murray	Smith T K	Young
DeLano	Hinman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 314, Int. No. 313) entitled "An act to confirm the acts of commissioners appointed to lay out and assess damages upon the opening of a public highway in the town of New

Castle, in Westchester county; to legalize and confirm the acts and proceedings of David L. Barnum and Frank T. Bailey, as commissioners of highways of said town; to authorize the town board of auditors of said town to audit the contracts in relation to the building of said highway; and to authorize the said town to pay for the construction of said highway, and to raise money therefor," having been announced for a third reading,

On motion of Mr. Goodwin, said bill was recommitted to the committee on internal affairs, retaining its place on the order of third reading.

On motion of Mr. A. E. Smith, the consideration of the remainder of the calendar of the day was put over until Wednesday next.

On motion of Mr. A. E. Smith, the House adjourned.

WEDNESDAY, FEBRUARY 15, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	DeLano	Herrick J J	McGrath	Shortt
Ahern	Donnelly	Herrick W R	McKeon	Smith A E
Allen	Donovan	Heyman	Merritt	Smith T K
Baumes	Drummond	Higgins	Miller	Spielberg
Beach	Ebbetts	Hinman	Monczynski	Stivers
Blauvelt	Egan	Hoey	Mork	Sullivan
Boylan	Evans	Hoff	Murray	Sweet
Brace	Fay	Hollmann	Myers	Talmage
Brennan	Filley	Hoyt	Neupert	Terry
Bridenbecker	Fitzpatrick	Huber	Nolan	Thorn
Brooks	Foley	Jackson	Oliver	Trombly
Brown	Friedman	Jameson	O'Neill J J	Turley
Bryant	Fry	Jones	O'Neil M A	Walker
Bush	Geatons	Kennedy	Pappert	Ward
Butler	Gerhardt	Keys	Parker A	Waring

Carew	Gerken	Kopp	Parker J S	Warren
Caughlan	Goldberg	LaReau	Patrie	Waters R B
Chanler	Goldstein	Levy A J	Phillips C W	Weil
Coffey	Goodman	Levy J	Pierce	Wende
Collin	Goodwin	Lincoln	Saunders	Wheeler
Colné	Graubard	Macdonald	Schifferdecker	Wilson
Connell	Gray	MacGregor	Seeley	Winters
Constantine	Gregg	Manley	Shannon	Yale
Cosad	Gurnett	Martin	Shea	Yeomans
Cross	Hackett	McCue	Sheide	Young
Cuvillier	Hart	McDaniels	Shepardson	Zorn
Dawson	Hammond	McElligott	Shlivek	Speaker
Day				

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Colne introduced a bill entitled "An act to regulate the names or titles of corporations" (Int. No. 532), which was read the first time and referred to the committee on the judiciary.

Mr. Cuvillier introduced a bill entitled "An act to amend the Greater New York charter, in relation to service of employees" (Int. No. 533), which was read the first time and referred to the committee on affairs of cities.

Mr. Drummond introduced a bill entitled "An act providing for the erection of a new State armory at Auburn, New York, the acquisition of a site for the same, and making an appropriation therefor, and providing for the sale of the old armory sito and building" (Int. No. 534), which was read the first time and referred to the committee on ways and means.

Mr. Ebbets introduced a bill entitled "An act to amend the General Business Law, in relation to the licensing of vending and slot machines" (Int. No. 535), which was read the first time and referred to the committee on general laws.

Mr. Gerhardt introduced a bill entitled "An act to amend the Greater New York charter, in relation to promotions in the police and fire departments" (Int. No. 536), which was read the first time and referred to the committee on affairs of cities.

Mr. Lent introduced a bill entitled "An act to increase the number of justices of the Supreme Court in the second judicial district of the State and to provide for four additional justices therein" (Int. No. 537), which was read the first time and referred to the committee on the judiciary.

Mr. Haines introduced a bill entitled "An act to amend chapter six hundred and forty-six of the Laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester and to provide means for the payment therefor,' generally" (Int. No. 538), which was read the first time and referred to the committee on internal affairs.

Mr. A. J. Levy introduced a bill entitled "An act to amend chapter fifty-seven of the Laws of eighteen hundred and eighty-three, entitled 'An act for the preservation of public records, maps and papers,' in relation to the compensation of persons employed in such work" (Int. No. 539), which was read the first time and referred to the committee on the judiciary.

Mr. MacGregor introduced a bill entitled "An act to amend the General Business Law, in relation to itinerant vendors" (Int. No. 540), which was read the first time and referred to the committee on general laws.

Mr. Schlivek introduced a bill entitled "An act to amend the Judiciary Law, in relation to coroners' jurors in the counties of New York and Kings" (Int. No. 541), which was read the first time and referred to the committee on the judiciary.

Mr. T. K. Smith introduced a bill entitled "An act making an appropriation for highway improvement in expediting the building of State route number thirty-three and certain portions of State routes twenty-seven, twenty-eight and thirty" (Int. No. 542), which was read the first time and referred to the committee on ways and means.

Mr. Spielberg introduced a bill entitled "An act to regulate the profession of shorthand reporters" (Int. No. 543), which was read the first time and referred to the committee on general laws.

Also, "An act to impose upon dealers that they label the date on canning goods" (Int. No. 544), which was read the first time and referred to the committee on codes.

Also, "An act to impose a stamp tax on the manufacture of cigarettes" (Int. No. 545), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Banking Law, in relation to private bankers in cities of the first class, and to repeal article three-a of

the General Business Law" (Int. No. 546), which was read the first time and referred to the committee on banks.

Mr. Hoey introduced a bill entitled "An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificate" (Int. No. 547), which was read the first time and referred to the committee on insurance.

Mr. Cosad introduced a bill entitled "An act to authorize the board of trustees of the village of Seneca Falls to issue bonds to pay the cost of paving portions of certain streets in said village in which the tracks of the Geneva and Auburn Railway Company are located and to assess the cost thereof on such railway company" (Int. No. 548), which was read the first time and referred to the committee on affairs of villages.

Mr. Warren introduced a bill entitled "An act to amend section nineteen hundred and two of the Code of Civil Procedure" (Int. No. 549), which was read the first time and referred to the committee on codes.

Mr. A. J. Levy introduced a bill entitled "An act to amend the Judiciary Law, in relation to the salaries of the record clerks of the court of general sessions of the peace in and for the county of New York" (Int. No. 550), which was read the first time and referred to the committee on the judiciary.

Mr. Bryant introduced a bill entitled "An act to incorporate the city of Batavia" (Int. No. 551), which was read the first time and referred to the committee on affairs of cities.

Mr. Cosad introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for lake trout and the use of nets in Seneca lake" (Int. No. 552), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Neupert introduced a bill entitled "An act to amend the Penal Law, in relation to permitting business and pastimes on Sunday" (Int. No. 553), which was read the first time and referred to the committee on codes.

Mr. Kennedy introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to the Constitution in relation to providing for an additional county judge.

for the county of Queens" (Int. No. 554), which was read the first time and referred to the committee on the judiciary.

Mr. J. Levy introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the service of summons and other papers upon receivers" (Int. No. 555), which was read the first time and referred to the committee on codes.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Ferris	Griffin	McClelland	Ramsperger	
Black	Fiero	Harden	McManus	Sanner	
Cronin	Frawley	Harte	Murtaugh	Stilwell	
Cullen	Gittins	Long	Pollock	Wagner	20

FOR CHAUNCEY M. DEPEW.

Allen	Cobb	Hewitt	Platt	Travis	
Argetsinger	Emerson	Hinman	Rose	Wainwright	
Bussey	Heacock	Ormrod	Sage	Walters	
Coats					16

FOR EDWARD M. SHEPARD.

Saxe 1

FOR MARTIN W. LITTLETON.

Burd 1

FOR MARTIN H. GLYNN.

Duhamel 1

FOR M. J. O'BRIEN.

Loomis 1

FOR JOHN D. KERNAN.

Roosevelt 1

FOR WILLIAM SULZER.

White 1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Griffin with Mr. O'Brien; Mr. Hamilton with Mr. Sullivan, C. D.; Mr. Thomas with Mr. Sullivan, T. D.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gurnett	Manley	Patrie	
Boylan	Fitzpatrick	Hackett	McCue	Schifferdecker	
Brennan	Foley	Hearn	McElligott	Seeley	
Bush	Frisbie	Herrick J J	McGrath	Sheide	
Carew	Geatons	Herrick W R	McKeon	Smith A E	
Caughlan	Gerhardt	Heyman	Moncsynski	Spielberg	
Collin	Gerken	Hoey	Mork	Turley	
Cuvillier	Gillen	Jackson	Neupert	Walker	
Dawson	Goldberg	Jameson	Oliver	Warren	
Donnelly	Goldstein	LaReau	O'Neill J J	Weil	
Donovan	Graubard	Levy A J	O'Neil M A	Wende	
Egan	Gregg	Levy J	Parker A	Zorn	
Farrell					61

FOR CHAUNCEY M. DEPEW.

Adler	Cross	Hoff	Pappert	Sweet	
Ahern	DeLano	Jones	Parker J S	Talmage	
Allen	Ebbetts	Keys	Phillips C W	Thorn	
Baumes	Filley	Kopp	Pierce	Ward	
Brooks	Goodman	Lansing	Shannon	Waring	
Brown	Goodwin	Lincoln	Shea	Waters R B	
Bryant	Gray	Macdonald	Shepardson	Wilson	
Butler	Haines	MacGregor	Shlivek	Winters	
Coffey	Hammond	Merritt	Smith T K	Yale	
Colné	Higgins	Murray	Stivers	Yeomans	
Connell	Hinman	Nolan	Sullivan	Young	
Constantine					56

FOR EDWARD M. SHEPARD.

Chanler	Fry	2

FOR ALTON B. PARKER.

McDaniels	1

FOR MARTIN W. LITTLETON.

Hollmann	Hoyt	2

FOR JOHN D. KERNAN.

Beach	Cosad	Evans	Martin	Trombly	
Brace	Day	Friedman	Miller	Wheeler	
Bridenbecker	Drummond	Huber	Terry		14

FOR WILLIAM SULZER.

Kennedy	Myers	2

FOR MARTIN H. GLYNN.

O'Connor	Saunders	2

FOR J. H. DOUGHERTY.

Shortt	1

When the roll was called the following pairs were announced: Mr. Brereton with Mr. Gould; Mr. Lent with Mr. Washburn.

Whole number of votes cast	183
Necessary to a choice	92

	Senators.	Assemblymen.	Total.
For William F. Sheehan	20	61	81
For Chauncey M. Depew	16	56	72
For Edward M. Shepard	1	2	3
For Alton B. Parker	0	1	1
For Martin W. Littleton	1	2	3
For Martin H. Glynn	1	2	3
For John W. Kernan	1	14	15
For M. J. O'Brien	1	.....	1
For William Sulzer	1	2	3
For J. H. Dougherty	.....	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Thursday, February 16th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of the Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Thursday, February 16th, at 12 o'clock noon in the Assembly Chamber.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. A. E. Smith (No. 429, Int. No. 424), entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the selection of grand jurors."

Also, Assembly bill introduced by Mr. A. E. Smith (No. 431, Int. No. 426), entitled "An act to amend the Judiciary Law, in relation to jurors in New York county."

Also, Assembly bill introduced by Mr. Yale (No. 461, Int. No. 452), entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and sixty-six, entitled 'An act to establish and incorporate the Drew Seminary and Female College,' in relation to providing for changing the number of trustees."

Also, Assembly bill introduced by Mr. A. E. Smith (No. 430, Int. No. 425), entitled "An act to amend the Judiciary Law, in relation to jurors in New York county," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Oliver (No. 84, Int. No. 84), entitled "An act to amend the Greater New York charter, relative to the compensation of commissioners of estimate and appraisal."

Also, Assembly bill introduced by Mr. Manley (No. 335, Int. No. 334), entitled "An act to amend chapter seven hundred and thirty-eight of the Laws of eighteen hundred and ninety-seven, entitled 'An act creating a board of assessors in and for the city of Utica and defining its powers,' relative to preparing and review of assessment-rolls."

Also, Assembly bill introduced by Mr. Kennedy (No. 81, Int. No. 81), entitled "An act authorizing the fire commissioner of the city of New York to allow a pension to Marcella A. Graham, the sister of a former member of such department."

Also, Assembly bill introduced by Mr. C. W. Phillips (No. 280, Int. No. 278), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to salaries."

Also, Assembly bill introduced by Mr. McDaniels (No. 376, Int. No. 367), entitled "An act to amend the Ithaca city charter, in relation to the issue of bonds for or in aid of a water supply."

Also, Assembly bill introduced by Mr. McGrath (No. 192, Int. No. 191), entitled "An act to amend the General City Law, in relation to compensating certain city employees who are injured in the discharge of their duties," reported in favor of the passage of

the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Hammond (No. 498, Int. No. 487), entitled "An act to amend chapter three hundred and fifty-six of the Laws of nineteen hundred and seven, as amended by chapter one hundred and seven of the Laws of nineteen hundred and nine, entitled 'An act to provide for the construction of intercepting sewers in and for the city of Syracuse,'" retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendment:

Insert after the word "Syracuse," in the title the following: "in relation to the issue and payment of bonds."

which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Stivers (No. 228, Int. No. 226), entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' generally," reported the same with the following amendments:

Strike out on page 9, line 24, all of line beginning with the word "subdivision."

Strike out all of line 25 on same page.

Strike out all of pages 10 and 11, and on page 12 strike out lines 1, 2, 3 and 4.

Page 12, line 5, strike out the figure "8."

and request that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Goldberg (No. 470, Int. No. 322), entitled "An act to amend the Judiciary Law, in relation to salaries of attendants and messengers of surrogates' court of New York county, and to repeal chapter four hundred and eighty-seven of the Laws of nineteen hundred and six, relative to the same subject."

Also, the bill introduced by Mr. Goldberg (No. 512, Int. No.

262), entitled "An act to amend the Code of Criminal Procedure, in relation to admission to bail."

Also, the bill introduced by Mr. Goldberg (No. 513, Int. No. 33), entitled "An act to amend the Code of Criminal Procedure, relative to admitting the defendant to bail."

Also, the bill introduced by Mr. Bush (No. 275, Int. No. 273), entitled "An act providing for the installing of an elevator in the State armory in Elmira for the use of the several posts of the Grand Army of the Republic occupying the third story of said armory, pursuant to chapter two hundred and eighty-three, Laws of eighteen hundred and eighty-seven, and making an appropriation therefor."

Also, the bill introduced by Mr. Miller (No. 279, Int. No. 277), entitled "An act to amend the Agricultural Law, in relation to cider vinegar."

Also, the bill introduced by Mr. MacGregor (No. 471, Int. No. 132), entitled "An act to amend the Military Law, in relation to vacations of employees (laborers) in armories and arsenals," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Blauvelt (No. 95, Int. No. 95), entitled "An act providing for the assessment and taxation of lands owned by the State in the county of Rockland," reported the same with the following recommendation:

Page 1, section 1, line 1, after the word " all " strike out the word " the ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to authorize the board of education of the union free school of the village of Saratoga Springs to borrow money on notes to be issued by said board, for the purpose of defraying the expenses incurred in erecting a new schoolhouse in said village." (No. 472, Int. No. 82.)

"An act to amend chapter three hundred and eighty-five of the

Laws of nineteen hundred and ten, entitled 'An act to authorize the city of Cohoes to borrow money for the purpose of better equipping its fire department, and to issue and sell its bonds for the money so borrowed, and to provide for raising money by taxation in said city for the redemption of said bonds and for the payment of interest thereon,' in relation to the rate of interest on bonds to be issued thereunder, authorizing the common council to amend a resolution heretofore passed in respect to the rate of such interest, and ratifying and confirming the action of the city, its common council, officers and agents in respect to proceedings leading up to and including the passage of such resolution." (No. 229, Int. No. 227.)

"An act to amend chapter three hundred and ninety-two of the Laws of nineteen hundred and two, entitled 'An act to authorize the common council of the city of Cohoes to borrow money by the issuing of bonds for the improvement of the quality and quantity of the present water supply, and the procuring of an additional supply of pure and wholesome water for said city,' in relation to the rate of interest on bonds to be issued thereunder, authorizing the common council to amend a resolution heretofore passed in respect to the rate of such interest, and ratifying and confirming the action of the city, its common council, board of water commissioners, officers and agents in respect to proceedings leading up to and including the passage of such resolution." (No. 269, Int. No. 267.)

Mr. Hammond, from the committee appointed to draft a charter for the city of New York, submitted the following report:

To the Legislature:

Pursuant to concurrent resolution passed by the Legislature of 1909, a committee was appointed for the purpose of examining and considering the proposed charter and administrative code prepared by the New York Charter Commission and submitted to the Legislature of that year. This committee reported under date of January, 1910, setting forth at length its views and recommendations. A concurrent resolution was adopted on February 8, 1910, as follows:

"That the Joint Legislative Committee heretofore appointed to examine and consider the proposed Charter and Administrative Code of the city of New York be continued and directed to

prepare a draft of a new charter for the city of New York, substantially in accordance with the recommendations made in the report of said committee recently submitted to the Legislature, and to present the same to the Legislature for its consideration with all convenient speed. That the membership of said committee be increased by five, two of whom shall be Senators to be appointed by the President of the Senate, and three members of Assembly, to be appointed by the Speaker of the Assembly."

It was deemed advisable by the committee in the brief time which was allotted to it that a series of separate bills should be introduced, relating to the various departments of the city government and other subject-matter of a proposed charter, so as to invite examination and suggestions.

It submitted to the committee on affairs of cities of the Assembly a draft of a new charter for the city of New York substantially in accordance with the recommendations made in the report of January 28, 1910, and on April 21, 1910, the committee on affairs of cities of the Assembly introduced the proposed draft in the form of a bill. The bill was referred to the committee on affairs of cities of the Assembly and was amended in various particulars by the Assembly on the order of third reading. No further action was taken on the bill.

On May 25, 1910, a concurrent resolution was adopted continuing the committee and directing it to submit its final report on or before January 15, 1911. No effort was made to urge the Legislature of 1910 to a final consideration of a proposed charter, largely because the mayor of the city of New York desired a fuller opportunity for the consideration and study of its provisions. In a letter to counsel of the committee, under date of May 16, 1910, he expressed the view that it would be better to postpone the passage of the charter until the next session of the Legislature "so that the city officials, the civic bodies and all of us may consider it carefully during the next summer and fall and propose amendments?" The mayor further stated "What I am most concerned about is to have you and those who are assisting you continued over in the work, so that you may work with us next summer and fall." Agreeably with the plan and spirit of co-operation existing between the mayor and the committee, the mayor called the attention of the various city officers and departmental heads to the subject-matter of the charter for the purpose of submitting for consideration such changes and suggestions as might be deemed advisable. Owing to the unfortunate illness of the mayor this difficult task has been unexpectedly and of necessity delayed, so that at the time of the submission of this report the city authorities have not submitted their suggestions or recommendations to this committee.

In order, however, that there may be a working basis for consideration and discussion of a charter, the committee has prepared a draft which it has submitted to the bill drafting department for examination, which draft is substantially in accordance with the provisions of Assembly bill No. 2675 of the session of 1910.

Many of the provisions of the existing charter are omitted from this draft. These omissions in the main relate to matters which should be dealt with by ordinances and to many details of daily administration which are constantly subject to change and which should not be the subject-matter of legislation.

The effort has also been made to eliminate from the charter those subjects which do not properly relate to municipal administration. Such as the provisions incorporated in the Inferior Criminal Courts Law and the provisions relating to the Municipal Courts and all subject-matter not clearly relating to the administrative government of the city.

The charter draft submitted to the last Legislature, by reason of the limited time allowed for its preparation, necessarily contained much obsolete matter, superfluous language, many unnecessary repetitions and duplications and conflicting provisions. That draft has been carefully revised, rewritten, rearranged, simplified and condensed so that the volume of the charter has been substantially reduced.

The committee has caused an examination to be made of all statutes passed since the organization of the State relating to the several municipalities heretofore consolidated and annexed to form the city of New York, and to be prepared a schedule of laws repealed comprising all statutes which in its opinion are covered by the proposed charter or have ceased to have force or effect.

Two general classes of questions must be considered in the formulation of a charter for the city of New York:

(1) Those which may be called governmental questions, and

(2) Those which relate to the technical details of administration.

By the governmental questions we mean those which deal with the structure of the city government, the distribution of power and the relation of the city as a whole to the various constituent municipalities which have been brought in by consolidation.

By the technical details of administration we mean the methods and practices which in the light of experience promote efficient, speedy and economical disposition of the city's business and its many activities.

Report of progress cannot be made until the Legislature has determined certain fundamental questions.

The majority of the New York charter commission which submitted its report to the Legislature of 1909 favored a highly centralized government.

The joint legislative committee in its report of January 28, 1910, referring to the powers of the board of estimate, stated:

"We recommend, however, that at the conclusion of the term of the present incumbents, so as to be effective on January 1, 1914, there shall be elected seven members of the board of estimate, two of whom shall be the mayor and comptroller, and that none of the members of the board shall have the present administrative functions of borough presidents. In such board the mayor and the comptroller should have three votes, respectively, and the remaining five members one vote each. There is a difference of opinion in the committee as to whether, (1) the five members of the board should be elected at large throughout the entire city, or (2) should be elected at large, one from each borough, or (3) whether there should be a member elected by each borough. But the Committee is united in its views as to the powers and duties to be conferred upon a board of estimate so constituted."

The committee concurs generally with the views above quoted, but in order to present a concrete suggestion the charter draft provides that after January 1, 1914, a commissioner of the board of estimate shall be chosen for a term of four years in each borough of the city by the electors thereof at the general election to be held in the year 1913, and every four years thereafter, and these five commissioners, together with the mayor, vice-mayor and comptroller shall constitute the board of estimate. It is recommended that at the same time and at the same election there shall be a president of each borough elected by the electors of the borough.

The business of the board of estimate has already grown to a large volume and in the natural development of the city's affairs, it must constantly increase. The matters coming under the consideration of the board are of such importance that they must require the most thorough examination and consideration by the members of the board. These members selected by the people are thereby charged with direct responsibility, should have sufficient time to make personal and independent examinations and inquiries into the subject-matter presented for their consideration and decision, rather than to be dependent by reason of lack of time upon the reports of bureau chiefs.

It will not be long before it will be a physical impossibility for the work of the board to be done by officials who have extensive administrative functions to perform in their own boroughs. In addition, the opinion prevails practically in every quarter that administrative officers, who are called upon to expend funds, should not have the authority to appropriate.

The duties imposed upon borough presidents in the administration of the affairs of the boroughs will demand their whole time and attention, and the constant personal supervision unembarrassed by other duties will, we believe, in the end fully justify the selection of this additional set of officials.

In the draft herewith submitted the number of statutory bureaus has been reduced to a minimum. Experience shows that from time to time it has been deemed wise to abolish, consolidate or modify the duties of the various bureaus and accordingly the local authorities have been given the power, within reasonable limits, without appeal to the Legislature so as to meet new conditions or undertake improvements in regard to matters of a purely administrative character.

Attention is called to one subject which was not fully described in the report of 1910, namely, proceedings for the acquisition of real property by condemnation. In the charter now in operation, three chapters are devoted to this subject, each providing a procedure for acquiring real property for a distinct class of purposes, viz.: water supply, streets (including parks, sewers, etc.), and general purposes. We have thrown these into one system, uniform except so far as the varient subject-matter requires different treatment. In addition to this change of form our draft makes two material changes with the design of obviating practices to which serious criticism has been directed, namely:

1. The inordinate expense of such proceedings, especially in cases of condemnation of property of small value, alleged to arise from the system prevailing in the bureaus of the law department having charge of these proceedings, and

2. The virtual taking of property without notice to the owner.

As a means of avoiding these grounds of criticism we have proposed:

1. To make the expenses of the law department payable by the city without charging them back to the property supposed to be benefited; and

2. To require actual notice to the owner to the same extent as is required under the Condemnation Law in the Civil Code, instead of mere publication of a description of the property in the city record.

We have followed, substantially, the recommendations contained in the report of January 28, 1910, which should be read in connection with the report herewith submitted.

Mr. Boylan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Assembly bill (No. 416, Int. No. 411), entitled "An act to amend chapter one hundred and nine of the Laws of nineteen hundred and six, entitled 'An act to terminate the use of streets, avenues and public places in the city of New York, in the borough of Manhattan by railroads operated by steam locomotive power at grade,' in relation to the removal of tracks," and that said bill be referred to the committee on railroads.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent, Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on internal affairs be discharged from the further consideration of the Senate bill (No. 70, Rec. No. 6) entitled "An act to amend chapter one hundred and three of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Ulster county a salaried office and regulating the management of said office,' in relation to the number and salaries of the clerks thereof."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, on motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shlivek
Ahern	Donnelly	Hammond	McDaniels	Shortt
Allen	Donovan	Herrick J J	McElligott	Smith A E
Baumes	Drummond	Herrick W R	McGrath	Smith T K
Beach	Ebbetts	Heyman	McKeon	Spielberg

Blauvelt	Egan	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Monczynski	Sweet
Brennan	Filley	Hoff	Mork	Talmage
Bridenbecker	Fitzpatrick	Hollmann	Murray	Terry
Brooks	Foley	Hoyt	Myers	Thorn
Brown	Friedman	Huber	Neupert	Trombly
Bryant	Fry	Jackson	Nolan	Turley
Bush	Geatons	Jameson	Oliver	Walker
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters R B
Coffey	Goldstein	Lansing	Parker J S	Weil
Collin	Goodman	LaReau	Patrie	Wende
Colné	Goodwin	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	Wilson
Constantine	Gray	Lincoln	Schifferdecker	Winters
Cosad	Gregg	Macdonald	Seeley	Yale
Cross	Gurnett	MacGregor	Shannon	Yeomans
Cuvillier	Hackett	Manley	Sheide	Young
Dawson	Haines	Martin	Shepardson	Zorn
Day				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 152, Int. No. 151) entitled "An act to amend the Agricultural Law, in relation to actions against agricultural societies," was read the second time.

On motion of Mr. Sweet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 514, Int. No. 224) entitled "An act to amend the Code of Civil Procedure, in relation to examinations in proceedings supplemental to execution," having been announced, Mr. Goodman moved to amend as follows:

On page 2, line 16, place brackets about the word "shall" and insert in place thereof in italics the word "may".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The Senate bill (No. 160, Rec. No. 9) entitled "An act making appropriations for certain immediate expenses of the Legislature, and providing for deficiencies in former appropriations therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shlivek
Ahern	Donnelly	Hammond	McDaniels	Shortt
Allen	Donovan	Herrick J J	McElligott	Smith A E
Baumes	Drummond	Herrick W R	McGrath	Smith T K
Beach	Ebbetts	Heyman	McKeon	Spielberg
Blauvelt	Egan	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Moncsynski	Sweet
Brennan	Filley	Hoff	Mork	Talmage
Bridenbecker	Fitzpatrick	Hollmann	Murray	Terry
Brooks	Foley	Hoyt	Myers	Thorn
Brown	Friedman	Huber	Neupert	Trombly
Bryant	Fry	Jackson	Nolan	Turley
Bush	Geatons	Jameson	Oliver	Walker
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters R B
Coffey	Goldstein	Lansing	Parker J S	Weil
Collin	Goodman	LaReau	Patrie	Wende
Colné	Goodwin	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	Wilson
Constantine	Gray	Lincoln	Schifferdecker	Winters
Cosad	Gregg	Macdonald	Seeley	Yale
Cross	Gurnett	MacGregor	Shannon	Yeomans
Cuvillier	Hackett	Manley	Sheide	Young
Dawson	Haines	Martin	Shepardson	Zorn
Day				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 352, Int. No. 93) entitled "An act to amend section sixteen hundred and twenty-seven of the Code of Civil Procedure," having been announced,

Mr. Chanler moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith, amended as follows:

After the word " Procedure " in the title, strike out the period " . " and insert a comma " , " and add the words, " when people of State is made party, in action to foreclose mortgage."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Chanler, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 351, Int. No. 92) entitled "An act to amend section fifteen hundred and ninety-four of the Code of Civil Procedure," having been announced,

Mr. Chanler moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith, amended as follows:

After the word " Procedure " in the title, strike out the period "." and insert a comma "," and add the words " where the State is interested as party defendant."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Chanler, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 353, Int. No. 91) entitled "An act to amend section four hundred and forty-seven of the Code of Civil Procedure," having been announced,

Mr. Chanler moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith, amended as follows:

After the word " Procedure " in the title, strike out the period " . " and insert a comma " , " and add the words " as to defendants, where the people of the State made party defendant."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Chanler, from the committee on codes, reported said bill amended as directed, and the the same was ordered reprinted and placed on the order of third reading.

The bill (No. 24, Int. No. 24) entitled "An act to legalize, ratify and confirm the proceedings of the town of North Elba in the adoption of the proposition to authorize the securing of site

and erecting a town building in the west end of the town and to raise and appropriate the sum of eight thousand dollars for such purpose and to issue bonds therefor, and to legalize the bonds of such town sold and awarded in pursuance thereof to the amount of eight thousand dollars and to provide for the payment of the same," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shlivek
Ahern	Donnelly	Hammond	McDaniels	Shortt
Allen	Donovan	Herrick J J	McElligott	Smith A E
Baumes	Drummond	Herrick W R	McGrath	Smith T K
Beach	Ebbetts	Heyman	McKeon	Spielberg
Blauvelt	Egan	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Monczynski	Sweet
Brennan	Filley	Hoff	Mork	Talmage
Bridenbecker	Fitzpatrick	Hollmann	Murray	Terry
Brooks	Foley	Hoyt	Myers	Thorn
Brown	Friedman	Huber	Neupert	Trombly
Bryant	Fry	Jackson	Nolan	Turley
Bush	Geatons	Jameson	Oliver	Walker
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters R B
Coffey	Goldstein	Lansing	Parker J S	Weil
Collin	Goodman	LaReau	Patrie	Wende
Colné	Goodwin	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	Wilson
Constantine	Gray	Lincoln	Schifferdecker	Winters
Cosad	Gregg	Macdonald	Seeley	Yale
Cross	Gurnett	MacGregor	Shannon	Yeomans
Cuvillier	Hackett	Manley	Sheide	Young
Dawson	Haines	Martin	Shepardson	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 13, Int. No. 13) entitled "An act to amend chapter two hundred and twenty-two of the Laws of eighteen hundred

and seventy-nine, entitled 'An act to consolidate the several school districts in the town of Grand Island, Erie county, and to provide for the election of a board of education therein,' by adding two new sections with reference to distribution of funds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shlivek
Ahern	Donnelly	Hammond	McDaniels	Shortt
Allen	Donovan	Herrick J J	McElligott	Smith A E
Baumes	Drummond	Herrick W R	McGrath	Smith T K
Beach	Ebbetts	Heyman	McKeon	Spielberg
Blauvelt	Egan	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Monczynski	Sweet
Brennan	Filley	Hoff	Mork	Talmage
Bridenbecker	Fitzpatrick	Hollmann	Murray	Terry
Brooks	Foley	Hoyt	Myers	Thorn
Brown	Friedman	Huber	Neupert	Trombly
Bryant	Fry	Jackson	Nolan	Turley
Bush	Geatons	Jameson	Oliver	Walker
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Washburn
Coffey	Goldstein	Lansing	Parker J S	Weil
Collin	Goodman	LaReau	Patrie	Wende
Colné	Goodwin	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	Wilson
Constantine	Gray	Lincoln	Schifferdecker	Winters
Cosad	Giegg	Macdonald	Seeley	Yale
Cross	Gurnett	MacGregor	Shannon	Yeomans
Cuvillier	Hackett	Manley	Sheide	Young
Dawson	Haines	Martin	Shepardson	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 120, Int. No. 119) entitled "An act to incorporate the American-Scandinavian Foundation," was read the third time, having been printed and upon the desks of the mem-

bers in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shlivek
Ahern	Donnelly	Hammond	McDaniels	Shortt
Allen	Donovan	Herrick J J	McElligott	Smith A E
Baumes	Drummond	Herrick W R	McGrath	Smith T K
Beach	Ebbetts	Heyman	McKeon	Spielberg
Blauvelt	Egan	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Monczynski	Sweet
Brennan	Filley	Hoff	Mork	Talmage
Bridenbecker	Fitzpatrick	Hollmann	Murray	Terry
Brooks	Foley	Hoyt	Myers	Thorn
Brown	Friedman	Huber	Neupert	Trombly
Bryant	Fry	Jackson	Nolan	Turley
Bush	Geatons	Jameson	Oliver	Walker
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters R B
Coffey	Goldstein	Lansing	Parker J S	Weil
Collin	Goodman	LaReau	Patrie	Wende
Colne	Goodwin	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	Wilson
Constantine	Gray	Lincoln	Schifferdecker	Winters
Cosad	Gregg	Macdonald	Seeley	Yale
Cross	Gurnett	MacGregor	Shannon	Yeomans
Cuvillier	Hackett	Manley	Sheide	Young
Dawson	Haines	Martin	Shepardson	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 283, Int. No. 281) entitled "An act to ratify, confirm and legalize the proceedings of the town of Irondequoit in the county of Monroe, had and taken in the matter of the establishment of a water district in said town; the sale, award and issuance of the bonds of said town to pay for the cost of constructing a water system in said water district; and to provide for the payment of said bonds," was read the third time, having been printed

and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shlivek
Ahern	Donnelly	Hammond	McDaniels	Shortt
Allen	Donovan	Herrick J J	McElligott	Smith A E
Baumes	Drummond	Herrick W R	McGrath	Smith T K
Beach	Ebbetts	Heyman	McKeon	Spielberg
Blauvelt	Egan	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Monczynski	Sweet
Brennan	Filley	Hoff	Mork	Talmage
Bridenbecker	Fitzpatrick	Hollmann	Murray	Terry
Brooks	Foley	Hoyt	Myers	Thorn
Brown	Friedman	Huber	Neupert	Trombly
Bryant	Fry	Jackson	Nolan	Turley
Bush	Geatons	Jameson	Oliver	Walker
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters F A
Coffey	Goldstein	Lansing	Parker J S	Weil
Collin	Goodman	LaReau	Patrie	Wende
Colné	Goodwin	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	Wilson
Constantine	Gray	Lincoln	Schifferdecker	Winters
Cosad	Gregg	Macdonald	Seeley	Yale
Cross	Gurnett	MacGregor	Shannon	Yeomans
Cuvillier	Hackett	Manley	Sheide	Young
Dawson	Haines	Martin	Shepardson	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 45, Int. No. 45) entitled "An act to legalize the official acts of certain justices of the peace and authorizing them to execute and file official bonds and official oaths and certificates," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shlivek
Ahern	Donnelly	Hammond	McDaniels	Shortt
Allen	Donovan	Herrick J J	McElligott	Smith A E
Baumes	Drummond	Herrick W R	McGrath	Smith T K
Beach	Ebbetts	Heyman	McKeon	Spielberg
Blauvelt	Egan	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Monczynski	Sweet
Brennan	Filley	Hoff	Mork	Talmage
Bridenbecker	Fitzpatrick	Hollmann	Murray	Terry
Brooks	Foley	Hoyt	Myers	Thorn
Brown	Friedman	Huber	Neupert	Trombly
Bryant	Fry	Jackson	Nolan	Turley
Bush	Geatons	Jameson	Oliver	Walker
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters R B
Coffey	Goldstein	Lansing	Parker J S	Weil
Collin	Goodman	LaReau	Patrie	Wende
Colné	Goodwin	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	Wilson
Constantine	Gray	Lincoln	Schifferdecker	Winters
Cosad	Gregg	Macdonald	Seeley	Yale
Cross	Gurnett	MacGregor	Shannon	Yeomans
Cuvillier	Hackett	Manley	Sheide	Young
Dawson	Haines	Martin	Shepardson	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 297, Int. No. 296) entitled "An act to amend chapter six hundred and eighty-three of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the police pension fund and firemen's pension fund of the city of Syracuse,'" having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 113, Int. No. 112) entitled "An act to validate certain bonds of the city of Jamestown," was read the third time, having been printed and upon the desks of the members in its

final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shlivek
Ahern	Donnelly	Hammond	McDaniels	Shortt
Allen	Donovan	Herrick J J	McElligott	Smith A E
Baumes	Drummond	Herrick W R	McGrath	Smith T K
Beach	Ebbetts	Heyman	McKeon	Spielberg
Blauvelt	Egan	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Monczynski	Sweet
Brennan	Filley	Hoff	Mork	Talmage
Bridenbecker	Fitzpatrick	Hollmann	Murray	Terry
Brooks	Foley	Hoyt	Myers	Thorn
Brown	Friedman	Huber	Neupert	Trombly
Bryant	Fry	Jackson	Nolan	Turley
Bush	Geatons	Jameson	Oliver	Walker
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters R B
Coffey	Goldstein	Lansing	Parker J S	Weil
Collin	Goodman	LaReau	Patrie	Wende
Colné	Goodwin	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	Wilson
Constantine	Gray	Lincoln	Schifferdecker	Winters
Cosad	Gregg	Macdonald	Seeley	Yale
Cross	Gurnett	MacGregor	Shannon	Yeomans
Cuvillier	Hackett	Manley	Sheide	Young
Dawson	Haines	Martin	Shepardson	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 150, Int. No. 149) entitled "An act providing for the relief of certain taxpayers of the city of Buffalo by placing the cost of acquiring lands for the extension of Laurel street in said city upon the general fund," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shlivek
Ahern	Donnelly	Hammond	McDaniels	Shortt
Allen	Donovan	Herrick J J	McElligott	Smith A E
Baumes	Drummond	Herrick W R	McGrath	Smith T K
Beach	Ebbetts	Heyman	McKeon	Spielberg
Blauvelt	Egan	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Monczynski	Sweet
Brennan	Filley	Hoff	Mork	Talmage
Bridenbecker	Fitzpatrick	Hollmann	Murray	Terry
Brooks	Foley	Hoyt	Myers	Thorn
Brown	Friedman	Huber	Neupert	Trombly
Bryant	Fry	Jackson	Nolan	Turley
Bush	Geatons	Jameson	Oliver	Walker
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters R B
Coffey	Goldstein	Lansing	Parker J S	Weil
Collin	Goodman	LaReau	Patrie	Wende
Colné	Goodwin	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	Wilson
Constantine	Gray	Lincoln	Schifferdecker	Winters
Cosad	Gregg	Macdonald	Seeley	Yale
Cross	Gurnett	MacGregor	Shannon	Yeomans
Cuvillier	Hackett	Manley	Sheide	Young
Dawson	Haines	Martin	Shepardson	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 138, Int. No. 137) entitled "An act to legalize, ratify and confirm the proceedings for the appointment of commissioners for the drainage of certain swamp lands known as the 'Nanuet Meadows,' situated in the town of Clarkstown, county of Rockland, and to legalize, ratify and confirm certain acts and proceedings of such commissioners," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shlivek
Ahern	Donnelly	Hammond	McDaniels	Shortt
Allen	Donovan	Herrick J J	McElligott	Smith A E
Baumes	Drummond	Herrick W R	McGrath	Smith T K
Beach	Ebbetts	Heyman	McKeon	Spielberg
Blauvelt	Egan	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Monczynski	Sweet
Brennan	Filley	Hoff	Mork	Talmage
Bridenbecker	Fitzpatrick	Hollmann	Murray	Terry
Brooks	Foley	Hoyt	Myers	Thorn
Brown	Friedman	Huber	Neupert	Trombly
Bryant	Fry	Jackson	Nolan	Turley
Bush	Geatons	Jameson	Oliver	Walker
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters R B
Coffey	Goldstein	Lansing	Parker J S	Weil
Collin	Goodman	LaReau	Patrie	Wende
Colné	Goodwin	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	Wilson
Constantine	Gray	Lincoln	Schifferdecker	Winters
Cosad	Gregg	Macdonald	Seeley	Yale
Cross	Gurnett	MacGregor	Shannon	Yeomans
Cuvillier	Hackett	Manley	Sheide	Young
Dawson	Haines	Martin	Shepardson	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 300, Int. No. 299) entitled "An act to legalize and validate certain bonds, for the construction and repair of bridges, of the town of Ellisburg in the county of Jefferson, in the proceedings heretofore taken for the issuance and sale thereof by the town board and legal voters of said town and the board of supervisors of Jefferson county and for the levy of a tax for the payment of the principal and interest thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shlivek
Ahern	Donnelly	Hammond	McDaniels	Shortt
Allen	Donovan	Herrick J J	McElligott	Smith A E
Baumes	Drummond	Herrick W R	McGrath	Smith T K
Beach	Ebbetts	Heyman	McKeon	Spielberg
Blauvelt	Egan	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Monczynski	Sweet
Brennan	Filley	Hoff	Mork	Talmage
Bridenbecker	Fitzpatrick	Hollmann	Murray	Terry
Brooks	Foley	Hoyt	Myers	Thorn
Brown	Friedman	Huber	Neupert	Trombly
Bryant	Fry	Jackson	Nolan	Turley
Bush	Geatons	Jameson	Oliver	Walker
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters R B
Coffey	Goldstein	Lansing	Parker J S	Weil
Collin	Goodman	LaReau	Patrie	Wende
Colné	Goodwin	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	Wilson
Constantine	Gray	Lincoln	Schifferdecker	Winters
Cosad	Gregg	Macdonald	Seeley	Yale
Cross	Gurnett	MacGregor	Shannon	Yeomans
Cuvillier	Hackett	Manley	Sheide	Young
Dawson	Haines	Martin	Shepardson	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 195, Int. No. 194) entitled "An act to amend the Judiciary Law, in relation to actions or proceedings where one of the attorneys is a member of the Legislature," having been announced,

Mr. Cuvillier moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith, amended as follows:

On page 1, line 9, strike out the word " retained " in italics and insert the following words: "Attorney of record " in italics.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 87
NOES 39

Those who voted in the affirmative were:

Ahern	Evans	Higgins	McDaniels	Shea
Baumes	Farrell	Hoey	McElligott	Sheide
Beach	Fay	Hoff	McGrath	Smith A E
Boylan	Filley	Huber	McKeon	Spielberg
Brennan	Fitzpatrick	Jackson	Miller	Sullivan
Brooks	Foley	Jameson	Monczynski	Sweet
Brown	Friedman	Jones	Myers	Terry
Bush	Gerhardt	Kennedy	Neupert	Thorn
Carew	Gerken	Keys	Nolan	Trombly
Caughlan	Gillen	Lansing	O'Connor	Walker
Constantine	Goldberg	LaReau	O'Neill J J	Waring
Cosad	Goldstein	Levy A J	O'Neil M A	Waters R B
Cross	Goodman	Levy J	Pappert	Weil
Dawson	Graubard	Lincoln	Saunders	Wende
Day	Hackett	MacGregor	Schifferdecker	Wheeler
Donovan	Hearn	Manley	Seeley	Young
Drummond	Herrick J J	McCue	Shannon	Zorn
Egan	Heyman			

Those who voted in the negative were:

Adler	Collin	Hammond	Murray	Stivers
Allen	Connell	Herrick W R	Parker A	Talmage
Blauvelt	Cuvillier	Hoyt	Parker J S	Turley
Brace	Ebbetts	Kopp	Patrie	Warren
Bridenbecker	Fry	Macdonald	Shepardson	Wilson
Bryant	Goodwin	Martin	Shlivek	Winters
Butler	Gray	Merritt	Shortt	Yeomans
Chanler	Gregg	Mork	Smith T K	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 26, Int. No. 26) entitled "An act to legalize the proceedings of the city of Gloversville, leading up to and including its issuance and sale of bonds of said city in the amount of seventy-five thousand dollars for completing the erection of a high school building therein, and validate the bonds already issued and sold therefor, and to provide for the payment of the principal and interest of such bonds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shlivek
Ahern	Donnelly	Hammond	McDaniels	Shortt
Allen	Donovan	Herrick J J	McElligott	Smith A E
Baumes	Drummond	Herrick W R	McGrath	Smith T K
Beach	Ebbetts	Heyman	McKeon	Spielberg
Blauvelt	Egan	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Monczynski	Sweet
Brennan	Filley	Hoff	Mork	Talmage
Bridenbecker	Fitzpatrick	Hollmann	Murray	Terry
Brooks	Foley	Hoyt	Myers	Thorn
Brown	Friedman	Huber	Nepuert	Trombly
Bryant	Fry	Jackson	Nolan	Turley
Bush	Geatons	Jameson	Oliver	Walker
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Wateis R B
Coffey	Goldstein	Lansing	Parker J S	Weil
Collin	Goodman	LaReau	Patrie	Wende
Colné	Goodwin	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	Wilson
Constantine	Gray	Lincoln	Schifferdecker	Winters
Cosad	Gregg	Macdonald	Seeley	Yale
Cross	Gurnett	MacGregor	Shannon	Yeomans
Cuvillier	Hackett	Manley	Sheide	Young
Dawson	Haines	Martin	Shepardson	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 306, Int. No. 305) entitled "An act to authorize the Maple Grove Cemetery Association of Worcester, Otsego county, New York, to accept a gift or bequest for the purpose of caring for a certain cemetery lot situate without the boundaries of the cemetery of such association," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McCue	Shlivek
Ahern	Donnelly	Hammond	McDaniels	Shortt
Allen	Donovan	Herrick J J	McElligott	Smith A E
Baumes	Drummond	Herrick W R	McGrath	Smith T K
Beach	Ebbetts	Heyman	McKeon	Spielberg
Blauvelt	Egan	Higgins	Merritt	Stivers
Boylan	Evans	Hinman	Miller	Sullivan
Brace	Fay	Hoey	Monczynski	Sweet
Brennan	Filley	Hoff	Mork	Talmage
Bridenbecker	Fitzpatrick	Hollmann	Murray	Terry
Brooks	Foley	Hoyt	Myers	Thorn
Brown	Friedman	Huber	Neupert	Trombly
Bryant	Fry	Jackson	Nolan	Turley
Bush	Geatons	Jameson	Oliver	Walker
Butler	Gerhardt	Jones	O'Neill J J	Ward
Carew	Gerken	Kennedy	O'Neil M A	Waring
Caughlan	Gillen	Keys	Pappert	Warren
Chanler	Goldberg	Kopp	Parker A	Waters R B
Coffey	Goldstein	Lansing	Parker J S	Weil
Collin	Goodman	LaReau	Patrie	Wende
Colné	Goodwin	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	Wilson
Constantine	Gray	Lincoln	Schifferdecker	Winters
Cosad	Gregg	Macdonald	Seeley	Yale
Cross	Gurnett	MacGregor	Shannon	Yeomans
Cuvillier	Hackett	Manley	Sheide	Young
Dawson	Haines	Martin	Shepardson	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 44, Int. No. 44) entitled "An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds in the sum of two million dollars for the purpose of acquiring additional park lands and lands along the water front and improving the same,' authorizing the use of a part of the proceeds of the sale or sales of said bonds for improvment on park lands heretofore acquired by said city," having been announced for a third reading,

On motion of Mr. Neupert, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The Senate returned the concurrent resolution in relation to the Sulloway bill now pending in the Senate of the United States, with a message that they have concurred in the passage of the same without amendment.

On motion of Mr. A. E. Smith, the House adjourned.

THURSDAY, FEBRUARY 16, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Leitsell.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Donnelly	Hearn	McElligott	Shlivek
Ahern	Donovan	Herrick J J	McGrath	Shortt
Allen	Drummond	Herrick W R	McKeon	Smith A E
Baumes	Ebbetts	Heyman	Merritt	Smith T K
Beach	Egan	Higgins	Miller	Stivers
Blauvelt	Evans	Hinman	Monczynski	Sullivan
Boylan	Farrell	Hoey	Mork	Talmage
Brace	Fay	Hoff	Murray	Terry
Brennan	Filley	Hollmann	Myers	Thorn
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Trombly
Brooks	Foley	Huber	Nolan	Turley
Brown	Friedman	Jackson	O'Connor	Walker
Bryant	Fry	Jones	Oliver	Ward
Bush	Geatons	Kennedy	O'Neill J J	Waring
Butler	Gerhardt	Keys	O'Neil M A	Warren
Carew	Gillen	Kopp	Pappert	Waters R B
Caughlan	Goldberg	Lansing	Parker A	Weil
Chanler	Goldstein	LaReau	Parker J S	Wende
Coffey	Goodman	Levy A J	Patrie	Wheeler
Collin	Goodwin	Levy J	Pierce	White
Colné	Gould	Lincoln	Saunders	Wilson
Connell	Graubard	Macdonald	Schifferdecker	Winters
Constantine	Gray	MacGregor	Seeley	Yale
Cosad	Gregg	Manley	Shannon	Yeomans
Cuvillier	Gurnett	Martin	Shea	Young
Dawson	Hackett	McCue	Sheide	Zorn
Day	Hart	McDaniels	Shepardson	Speaker
DeLano	Hammond			

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gerken introduced a bill entitled "An act to amend the Penal Law, in relation to certain fraudulent practices" (Int. No. 556), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Greater New York charter, in relation to establishing the College of the Borough of Brooklyn" (Int. No. 557), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to exemption of hospitals from assessments for public improvements, in the city of New York" (Int. No. 558), which was read the first time and referred to the committee on affairs of cities.

Mr. Hearn introduced a bill entitled "An act relating to the private use and occupation of a part of Van Rensselaer street in the city of Buffalo underneath a viaduct structure which carries the roadway of said street over its former grade" (Int. No. 559), which was read the first time and referred to the committee on affairs of cities.

Mr. Hoyt introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to charges by telephone corporations" (Int. No. 560), which was read the first time and referred to the committee on electricity, gas and water supply.

Also, "An act to amend the Public Officers Law, in relation to the duty of State officers to furnish certified copies of certain documents and records to county clerks" (Int. No. 561), which was read the first time and referred to the committee on general laws.

Mr. C. W. Phillips introduced a bill entitled "An act making an appropriation for the National Encampment of the Grand Army of the Republic to be held in the city of Rochester, in the month of August, nineteen hundred and eleven" (Int. No. 562), which was read the first time and referred to the committee on ways and means.

Mr. Saunders introduced a bill entitled "An act to amend chapter two hundred and sixty-eight of the Laws of eighteen hundred and ninety-one, entitled 'An act in relation to the office of sheriff in the county of Columbia,' in relation to the salary and disbursements of the sheriff" (Int. No. 563), which was read the first time and referred to the committee on internal affairs.

Mr. A. E. Smith introduced a bill entitled "An act to amend

the General Business Law, in relation to the sale of coal, coke or charcoal and repealing certain sections of the General City Law in relation to the protection of the purchasers of coal" (Int. No. 564), which was read the first time and referred to the committee on general laws.

Mr. Shea introduced a bill entitled "An act to amend the Town Law, in relation to the reapportionment of assessments for the establishment or maintenance of sewer systems outside of incorporated cities and villages" (Int. No. 565), which was read the first time and referred to the committee on internal affairs.

Mr. MacGregor introduced a bill entitled "An act to amend the Military Law, in relation to chief engineers in armories and arsenals" (Int. No. 566), which was read the first time and referred to the committee on military affairs.

Mr. Brown introduced a bill entitled "An act to amend the charter of the city of Cortland, in relation to street and other improvements, street sprinkling and sewers, in said city, and the issuance and sale of city bonds for purposes relating thereto" (Int. No. 567), which was read the first time and referred to the committee on affairs of cities.

Mr. Collin introduced a bill entitled "An act to amend the Agricultural Law, in relation to the collection and dissemination of agricultural statistics" (Int. No. 568), which was read the first time and referred to the committee on agriculture.

Mr. Fay introduced a bill entitled "An act to amend the Greater New York charter, in relation to bonds and obligations of the city" (Int. No. 569), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to contracts and local improvements" (Int. No. 570), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to the department of docks and ferries" (Int. No. 571), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to contracts and local improvements" (Int. No. 572),

which was read the first time and referred to the committee on affairs of cities.

Mr. Collin introduced a bill entitled "An act to amend the Agricultural Law, in relation to the sale of farm produce on commission" (Int. No. 573), which was read the first time and referred to the committee on agriculture.

Mr. McElligott introduced a bill entitled "An act to amend the Civil Service Law, with respect to the power of removal" (Int. No. 574), which was read the first time and referred to the committee on the judiciary.

Mr. Huber introduced a bill entitled "An act to establish a law library in the county of Queens and making an appropriation therefor" (Int. No. 575), which was read the first time and referred to the committee on ways and means.

Mr. Goldberg introduced a bill entitled "An act to amend section thirteen hundred and ninety-one of the Code of Civil Procedure, relating to executions against the wages, debt, earnings, salary, income from trust funds or profits of a judgment debtor" (Int. No. 576), which was read the first time and referred to the committee on codes.

Mr. Bush introduced a bill entitled "An act to amend the Education Law, in relation to the establishment of a State school of sanitary science and public health at Cornell University, and making an appropriation therefor" (Int. No. 577), which was read the first time and referred to the committee on ways and means.

Mr. LaReau introduced a bill entitled "An act to revise the charter of the city of Buffalo" (Int. No. 578), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Public Health Law, in relation to the establishment of a State institute for the study of malignant disease at Buffalo, providing for its management and control, and making an appropriation therefor" (Int. No. 579), which was read the first time and referred to the committee on ways and means.

Mr. Hoff introduced a bill entitled "An act to amend chapter three hundred and ninety of the Laws of nineteen hundred and nine, entitled 'An act to authorize the acquisition of a site for, and

the construction of a courthouse in the county of Kings, and to provide for the maintenance thereof,' in relation to the issuance of bonds or corporate stock of the city of New York, for meeting expenses incurred under said act" (Int. No. 580), which was read the first time and referred to the committee on affairs of cities.

Mr. Egan introduced a bill entitled "An act providing that the police commissioner of the city of New York in his discretion may reappoint Thomas G. Mellon an ex-policeman of the city of New York, who resigned from said police department August twenty-first, eighteen hundred and ninety-five" (Int. No. 581), which was read the first time and referred to the committee on affairs of cities.

Mr. A. Parker introduced a bill entitled "An act to amend the Education Law, in relation to preventing cruelty by conferring upon the Board of Regents of the University of the State of New York the power of supervision of experiments on living animals" (Int. No. 582), which was read the first time and referred to the committee on public health.

A message from the Governor, by the hand of his secretary, was received and read, in the words following:

See Appendix No. 3, which was laid upon the table and ordered printed.

(See Assembly Document No. 31.)

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Black	Frawley	Long	Pollock	Stilwell	
Cullen	Gittins	McClelland	Ramsperger	Sullivan T D	
Ferris	Griffin	McManus	Sanner	Wagner	
Fiero	Harden	O'Brien			18

FOR CHAUNCEY M. DEPEW.

Argetsinger	Cobb	Heacock	Rose	Thomas	
Bussey	Emerson	Ormrod	Sage	Walters	
Coats	Griffith	Platt			13

FOR EDWARD M. SHEPARD.

Saxe 1

FOR MARTIN W. LITTLETON.

Burd 1

FOR MARTIN H. GLYNN.

Duhamel 1

FOR M. J. O'BRIEN.

Loomis 1

FOR JOHN D. KERNAN.

Roosevelt 1

FOR WILLIAM SULZER.

White 1

When the roll was called the following pairs were announced: Mr. Allen with Mr. Harte; Mr. Brackett with Mr. Grady; Mr. Hamilton with Mr. Bayne; Mr. Hewitt with Mr. Murtaugh; Mr. Cronin with Mr. Travis; Mr. Sullivan, C. D., with Mr. Wainwright.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Farrell	Gregg	McCue	Patrie	
Boylan	Fay	Gurnett	McElligott	Schifferdecker	
Brennan	Fitzpatrick	Hackett	McGrath	Seeley	
Bush	Foley	Hearn	McKeon	Sheide	
Carew	Frisbie	Herrick J J	Monczynski	Smith A E	
Caughlan	Geatons	Herrick W R	Mork	Turley	
Collin	Gerhardt	Heyman	Neupert	Walker	
Cuvillier	Gillen	Hoey	Oliver	Warren	
Dawson	Goldberg	Jackson	O'Neill J J	Weil	
Donnelly	Goldstein	LaReau	O'Neil M A	Wende	
Donovan	Gould	Levy A J	Parker A	Zorn	
Egan	Graubard	Levy J			58

FOR CHAUNCEY M. DEPEW.

Adler	DeLano	Jones	Parker J S	Thorn	
Allen	Ebbetts	Keys	Pierce	Ward	
Baumes	Filley	Kopp	Shannon	Waring	
Brooks	Goodman	Lansing	Shea	Waters R B	
Brown	Goodwin	Lincoln	Shepardson	White	
Bryant	Gray	Macdonald	Shlivek	Wilson	
Butler	Hammond	MacGregor	Smith T K	Winters	
Coffey	Hart	Merritt	Stivers	Yale	
Colné	Higgins	Murray	Sullivan	Yeomans	
Connell	Hinman	Nolan	Talmage	Young	
Constantine	Hoff	Pappert			53

FOR EDWARD M. SHEPARD.

Chanler	Fry	Huber		3

FOR ALTON B. PARKER.

McDaniels	1

FOR MARTIN W. LITTLETON.

Hollmann	Hoyt	2

FOR MARTIN H. GLYNN.

Saunders	1

FOR JOHN D. KERNAN.

Beach	Cosad	Evans	Miller	Trombly	
Brace	Day	Friedman	Terry	Wheeler	
Bridenbecker	Drummond	Martin			13

FOR WILLIAM SULZER.

Kennedy	Myers	2

FOR J. H. DOUGHERTY.

Shortt	1

FOR J. HAUSEN.

O'Connor	1

When the roll was called the following pairs were announced:

Mr. Ahearn with Mr. Gerken; Mr. Brereton with Mr. Jameson; Mr. Cheney with Mr. Manley; Mr. Cross with Mr. Spielberg; Mr. Washburn with Mr. Lent.

Whole number of votes cast.....	172
Necessary to a choice.....	87

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	18	58	76
For Chauncey M. Depew.....	13	53	66
For Edward M. Shepard	1	3	4
For Alton B. Parker.....	.....	1	1
For Martin W. Littleton.....	1	2	3
For Martin H. Glynn.....	1	1	2
For John W. Kernan.....	1	13	14
For M. J. O'Brien.....	1	.....	1
For William Sulzer	1	2	3
For J. H. Dougherty	.....	1	1
For J. Hausen	.....	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. A. E. Smith, the joint assembly took a recess until Friday, February 17th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Friday, February 17th, at 12 o'clock noon in the Assembly Chamber.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 9, Int. No. 9) introduced by Mr. Goldberg, entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to jury fees," reported in favor of the passage of the same, with the following amendment:

On page 2, line 2, strike out the word "acts" and insert in its place the word "actions".

On page 2, line 7, strike out the word "immediately" and insert the words 'September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill introduced by Mr. Ward (No. 53, Int. No. 53), entitled "An act to amend the Penal Law, generally," reported the same with the following amendments:

Page 1, in the caption, after the word "law" strike out the word "generally", and insert in place thereof the words "in relation to kidnapping."

On line 6, after the word "kidnapping," strike out the words "in first degree", and brackets around the word "defined."

Line 4, before the word "is" insert the words "as amended by chaper two hundred and forty-six of the Laws of nineteen hundred and nine."

Line 7, after the word "parent" insert in italics the words "of the person kidnapped."

Line 8, after the word "another" insert in italics the word "person."

Page 2, line 15, after the word "kidnapping," strike out the words "in the first degree."

Line 16, after the word "not", strike out the brackets and word "more", and the word "less", and insert in place thereof the word "less". After the word "than", strike out the word "twenty" and hyphen. Insert brackets around the word "five", and before the word "years" insert in italics the word "ten", and after the word "years" print as old matter the words "nor more than fifty years."

Line 17, beginning with the paragraph, strike out all the matter down to and including the word "years" on line 26.

Line 27, before the word "this", strike out the numeral "3", and insert in place thereof the numeral "2", and after the word "effect", strike out the word "immediately" and insert in place thereof the words "September first, nineteen hundred and eleven."

and request that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Sheide (No. 345, Int. No. 344), entitled "An act to establish the office of receiver of taxes of the town of Babylon, in the county of Suffolk, defining the powers and duties of the receiver and fixing his compensation."

Also, Assembly bill introduced by Mr. C. W. Phillips (No. 151, Int. No. 150), entitled "An act to amend the Indian Law, in relation to prosecution of actions and proceedings by the Seneca Nation of Indians," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Goldberg, from the committee on taxation and retrenchment, to which was referred Assembly bill introduced by Mr. J. J. O'Neill (No. 266, Int. No. 264), entitled "An act to amend the Tax Law, in relation to receipts by collectors and receivers of taxes."

Also, Assembly bill introduced by Mr. MacGregor (No. 301, Int. No. 300), entitled "An act to amend the Tax Law, in relation to organization tax," reported in favor of the passage of the

same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Cosad, from the committee on agriculture, to which was referred Assembly bill introduced by Mr. Shepardson (No. 135, Int. No. 134), entitled "An act to amend the Agricultural Law, in relation to the definition of the terms 'butter' and 'cheese,'" reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cuvillier, from the committee on military affairs, to which was referred Assembly bill (No. 104, Int. No. 104) introduced by Mr. Cuvillier, entitled "An act to amend the Military Law, in relation to the military secretary to the Governor," reported in favor of the passage of the same, with the following amendments:

On page 3, line 3, strike out the word "ninety-six" and insert the word "thirty-six" in italics.

On page 2, line 3, place brackets about the word "sixteen" and insert the word "eighteen" in italics.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Sweet (No. 152, Int. No. 151), entitled "An act to amend the Agricultural Law, in relation to actions against agricultural societies," reported the same without recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act providing for the installing of an elevator in the State armory in Elmira for the use of the several posts of the Grand Army of the Republic occupying the third story of said armory, pursuant to chapter two hundred and eighty-three, Laws of eighteen hundred and eighty-seven, and making an appropriation therefor." (No. 275, Int. No. 273.)

"An act to amend the Code of Criminal Procedure, relative to admitting the defendant to bail." (No. 513, Int. No. 33.)

"An act to amend the Agricultural Law, in relation to cider vinegar." (No. 279, Int. No. 277.)

"An act to amend the Military Law, in relation to vacations of employees [laborers] in armories and arsenals." (No. 471, Int No. 132.)

"An act to amend the Judiciary Law, in relation to salaries of attendants and messengers of surrogate's court of New York county, and to repeal chapter four hundred and eighty-seven of the Laws of nineteen hundred and six, relative to the same subject." (No. 470, Int. No. 322.)

"An act to amend the Code of Civil Procedure, in relation to admission to bail." (No. 512, Int. No. 262.)

Mr. Coffey offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill (No. 137, Int. No. 136), entitled "An act to provide for a supply of pure and wholesome water for the city of Mount Vernon; and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Coffey moved to amend as follows:

On page 1, line 2, strike out the words ", by and with the advice and consent ".

On page 1, line 3, strike out the words " of the common council ".

On page 2, line 12, strike out the words " , by and with ".

On page 2, line 13, strike out the words " the advice and consent of the common council ".

On page 2, line 21, after the word " appoint " insert the words " and at pleasure remove ".

On page 3, line 11, strike out the words " by and with the advice and con-".

On page 3, line 12, strike out the words " sent of the common council ".

On page 7, line 21, strike out the words " the attorney ".

On page 7, line 22, strike out the word " for " at the beginning of the line.

On page 10, line 14, after the word " statute " insert the words " and file the same in the city clerk's office, together with the map of the property concerning which they were appointed, and thereupon title to such property shall vest in the city of Mount Vernon ".

On page 13, line 2, at the end of the line insert the following words " and the attorney for said board shall prepare such deed or deeds of conveyance to be executed by the owner or owners in favor of the said city of Mount Vernon, as may be necessary to secure the title to said property ".

On page 15, line 11, strike out the words " provided, however, that ".

On page 15, strike out all of lines 12 to 26, inclusive.

On page 16, line 5, strike out the words " or if such agreement be reached between the said munici-".

On page 16, strike out all of line 6.

On page 16, line 7, strike out the words " cial election held as hereinbefore provided for ".

On page 18, line 19, after the word " supply " insert the words " such board of water supply shall comply with subdivision three of section one hundred and thirty-four of the charter of the city of Mount Vernon in relation to the annual budget."

On page 21, strike out line 13.

On page 21, after line 12, insert the following " § 26. Chapter seven hundred and seventy-four of the Laws of eighteen hundred and ninety-six, and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

" § 27. This act shall take effect immediately."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Coffey, said bill was ordered reprinted and recommitted to said committee.

Mr. Bush offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on codes be discharged from the further consideration of Assembly bill (No. 98, Int. No. 98), entitled "An act relating to Civil War veterans," and that said bill be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 81, Int. No. 81) entitled "An act authorizing the fire commissioner of the city of New York to allow a pension to

Marcella A. Graham, the sister of a former member of such department," was read the second time.

On motion of Mr. Kennedy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 280, Int. No. 278) entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to salaries," was read the second time.

On motion of Mr. C. W. Phillips, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 335, Int. No. 334) entitled "An act to amend chapter seven hundred and thirty-eight of the Laws of eighteen hundred and ninety-seven, entitled 'An act creating a board of assessors in and for the city of Utica and defining its powers,' relative to preparing and review of assessment-rolls," was read the second time.

On motion of Mr. Manley, said bill was placed on the order of third reading.

On motion of Mr. Manley, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McDaniels	Shepardson
Ahern	Donnelly	Hearn	McElligott	Shlivek
Allen	Donovan	Herrick J	McGrath	Shortt-
Baumes	Drummond	Herrick W R	McKeon	Smith A E
Beach	Ebbetts	Heyman	Merritt	Smith T K
Blauvelt	Egan	Higgins	Miller	Stivers
Boylan	Evans	Hinman	Monczynski	Sullivan
Brace	Farrell	Hoey	Mork	Talmage
Brennan	Fay	Hoff	Murray	Terry
Bridenbecker	Filley	Hollmann	Myers	Thorn
Brooks	Fitzpatrick	Hoyt	Neupert	Trombly
Brown	Foley	Huber	Nolan	Turley

Bryant	Friedman	Jackson	O'Connor	Walker
Bush	Fry	Jones	Oliver	Ward
Butler	Geatons	Kennedy	O'Neill J J	Waring
Carew	Gerhardt	Keys	O'Neil M A	Warren
Caughlan	Gillen	Kopp	Pappert	Waters R B
Chanler	Goldberg	Lansing	Parker A	Weil
Cheney	Goldstein	LaReau	Parker J S	Wende
Coffey	Goodman	Levy A J	Patrie	Wheeler
Collin	Goodwin	Levy J	Pierce	White
Colné	Gould	Lincoln	Saunders	Wilson
Connell	Graubard	Macdonald	Schifferdecker	Winters
Constantine	Gray	MacGregor	Seeley	Yale
Cosad	Gregg	Manley	Shannon	Yeomans
Cuvillier	Gurnett	Martin	Shea	Young
Dawson	Hackett	McCue	Sheide	Zorn
Day	Hart			137

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 429, Int. No. 424) entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the selection of grand jurors," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 430, Int. No. 425) entitled "An act to amend the Judiciary Law, in relation to jurors in New York county," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 431, Int. No. 426) entitled "An act to amend the Judiciary Law, in relation to jurors in New York county," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 461, Int. No. 452) entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and sixty-six, entitled 'An act to establish and incorporate the Drew Seminary and Female College,' in relation to providing for changing the number of trustees," was read the second time.

On motion of Mr. Yale, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 84, Int. No. 84) entitled "An act to amend the

Greater New York charter, relative to the compensation of commissioners of estimate and appraisal," having been announced, Mr. Murray moved to amend as follows:

On page 2, line 23, strike out the words "heretofore" and "or".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the second time.

On motion of Mr. Oliver, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 192, Int. No. 191) entitled "An act to amend the General City Law, in relation to compensating certain city employees who are injured in the discharge of their duties," was read the second time.

On motion of Mr. McGrath, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 376, Int. No. 367) entitled "An act to amend the Ithaca city charter, in relation to the issue of bonds for or in aid of a water supply," was read the second time.

On motion of Mr. McDaniels, said bill was placed on the order of third reading.

On motion of Mr. McDaniels, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McDaniels	Shepardson
Ahern	Donnelly	Hearn	McElligott	Shlivek
Allen	Donovan	Herrick J J	McGrath	Shortt
Baumes	Drummond	Herrick W R	McKeon	Smith A E
Beach	Ebbetts	Heyman	Merritt	Smith T K
Blauvelt	Egan	Higgins	Miller	Stivers
Boylan	Evans	Hinman	Monczynski	Sullivan
Brace	Farrell	Hoey	Mork	Talmage

Brennan	Fay	Hoff	Murray	Terry
Bridenbecker	Filley	Hollmann	Myers	Thorn
Brooks	Fitzpatrick	Hoyt	Neupert	Trombly
Brown	Foley	Huber	Nolan	Turley
Bryant	Friedman	Jackson	O'Connor	Walker
Bush	Fry	Jones	Oliver	Ward
Butler	Geatons	Kennedy	O'Neill J J	Waring
Carew	Gerhardt	Keys	O'Neil M A	Warren
Caughlan	Gillen	Kopp	Pappert	Waters R B
Chanler	Goldberg	Lansing	Parker A	Weil
Cheney	Goldstein	LaReau	Parker J S	Wende
Coffey	Goodman	Levy A J	Patrie	Wheeler
Collin	Goodwin	Levy J	Pierce	White
Colné	Gould	Lincoln	Saunders	Wilson
Connell	Graubard	Macdonald	Schifferdecker	Winters
Constantine	Gray	MacGregor	Seeley	Yale
Cosad	Gregg	Manley	Shannon	Yeomans
Cuvillier	Gurnett	Martin	Shea	Young
Dawson	Hackett	McCue	Sheide	Zorn
Day	Hart			137

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 472, Int. No. 82) entitled "An act to authorize the board of education of the union free school of the village of Saratoga Springs to borrow money on notes to be issued by said board, for the purpose of defraying the expenses incurred in erecting a new schoolhouse in said village," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McDaniels	Shepardson
Ahern	Donnelly	Hearn	McElligott	Shlivek
Allen	Donovan	Herrick J J	McGrath	Shortt
Baumes	Drummond	Herrick W R	McKeon	Smith A E
Beach	Ebbetts	Heyman	Merritt	Smith T K
Blauvelt	Egan	Higgins	Miller	Stivers
Boylan	Evans	Hinman	Monczynski	Sullivan
Brace	Farrell	Hoey	Mork	Talmage
Brennan	Fay	Hoff	Murray	Terry
Bridenbecker	Filley	Hollmann	Myers	Thorn
Brooks	Fitzpatrick	Hoyt	Neupert	Trombly
Brown	Foley	Huber	Nolan	Turley

Bryant	Friedman	Jackson	O'Connor	Walker
Bush	Fry	Jones	Oliver	Ward
Butler	Geatons	Kennedy	O'Neill J J	Waring
Carew	Gerhardt	Keys	O'Neil M A	Warren
Caughlan	Gillen	Kopp	Pappert	Waters R B
Chanler	Goldberg	Lansing	Parker A	Weil
Cheney	Goldstein	LaReau	Parker J S	Wende
Coffey	Goodman	Levy A J	Patrie	Wheeler
Collin	Goodwin	Levy J	Pierce	White
Colné	Gould	Lincoln	Saunders	Wilson
Connell	Graubard	Macdonald	Schifferdecker	Winters
Constantine	Gray	MacGregor	Seeley	Yale
Cosad	Gregg	Manley	Shannon	Yeomans
Cuvillier	Gurnett	Martin	Shea	Young
Dawson	Hackett	McCue	Sheide	Zorn
Day	Hart			137

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 229, Int. No. 227) entitled "An act to amend chapter three hundred and eighty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the city of Cohoes to borrow money for the purpose of better equipping its fire department, and to issue and sell its bonds for the money so borrowed, and to provide for raising money by taxation in said city for the redemption of said bonds and the payment of interest thereon,' in relation to the rate of interest on bonds to be issued thereunder, authorizing the common council to amend a resolution heretofore passed in respect to the rate of such interest, and ratifying and confirming the action of the city, its common council, officers and agents in respect to proceedings leading up to and including the passage of such resolution," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McDaniels	Shepardson
Ahern	Donnelly	Hearn	McElligott	Shlivek
Allen	Donovan	Herrick J J	McGrath	Shortt
Baumes	Drummond	Herrick W R	McKeon	Smith A E

Beach	Ebbetts	Heyman	Merritt	Smith T K
Blauvelt	Egan	Higgins	Miller	Stivers
Boylan	Evans	Hinman	Monczynski	Sullivan
Brace	Farrell	Hoey	Mork	Talmage
Brennan	Fay	Hoff	Murray	Terry
Bridenbecker	Filley	Hollmann	Myers	Thorn
Brooks	Fitzpatrick	Hoyt	Neupert	Trombly
Brown	Foley	Huber	Nolan	Turley
Bryant	Friedman	Jackson	O'Connor	Walker
Bush	Fry	Jones	Oliver	Ward
Butler	Geatons	Kennedy	O'Neill J J	Waring
Carew	Gerhardt	Keys	O'Neil M A	Warren
Caughlan	Gillen	Kopp	Pappert	Waters R B
Chanler	Goldberg	Lansing	Parker A	Weil
Cheney	Goldstein	LaReau	Parker J S	Wende
Coffey	Goodman	Levy A J	Patrie	Wheeler
Collin	Goodwin	Levy J	Pierce	White
Colné	Gould	Lincoln	Saunders	Wilson
Connell	Graubard	Macdonald	Schifferdecker	Winters
Constantine	Gray	MacGregor	Seeley	Yale
Cosad	Gregg	Manley	Shannon	Yeomans
Cuvillier	Gurnett	Martin	Shea	Young
Dawson	Hackett	McCue	Sheide	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 269, Int. No. 267) entitled "An act to amend chapter three hundred and ninety-two of the Laws of nineteen hundred and two, entitled 'An act to authorize the common council of the city of Cohoes to borrow money by the issuing of bonds for the improvement of the quality and quantity of the present water supply, and the procuring of an additional supply of pure and wholesome water for said city,' in relation to the rate of interest on bonds to be issued thereunder authorizing the common council to amend a resolution heretofore passed in respect to the rate of such interest, and ratifying and confirming the action of the city, its common council, board of water commissioners, officers and agents in respect to proceedings leading up to and including the passage of such resolution," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McDaniels	Shepardson
Ahern	Donnelly	Hearn	McElligott	Shlivek
Allen	Donovan	Herrick J J	McGrath	Shortt
Baumes	Drummond	Herrick W R	McKeon	Smith A E
Beach	Ebbetts	Heyman	Merritt	Smith T K
Blauvelt	Egan	Higgins	Miller	Stivers
Boylan	Evans	Hinman	Monczynski	Sullivan
Brace	Farrell	Hoey	Mork	Talmage
Brennan	Fay	Hoff	Murray	Terry
Bridenbecker	Filley	Hollmann	Myers	Thorn
Brooks	Fitzpatrick	Hoyt	Neupert	Trombly
Brown	Foley	Huber	Nolan	Turley
Bryant	Friedman	Jackson	O'Connor	Walker
Bush	Fry	Jones	Oliver	Ward
Butler	Geatons	Kennedy	O'Neill J J	Waring
Carew	Gerhardt	Keys	O'Neil M A	Warren
Caughlan	Gillen	Kopp	Pappert	Waters R B
Chanler	Goldberg	Lansing	Parker A	Weil
Cheney	Goldstein	LaReau	Parker J S	Wende
Coffey	Goodman	Levy A J	Patrie	Wheeler
Collin	Goodwin	Levy J	Pierce	White
Colné	Gould	Lincoln	Saunders	Wilson
Connell	Graubard	Macdonald	Schifferdecker	Winters
Constantine	Gray	MacGregor	Seeley	Yale
Cosad	Gregg	Manley	Shannon	Yeomans
Cuvillier	Gurnett	Martin	Shea	Young
Dawson	Hackett	McCue	Sheide	Zorn
Day	Hart			137

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Ebbetts called up Assembly bill (No. 119, Int. No. 118), entitled "An act to amend the Agricultural Law, in relation to representations in the sale of certain articles of food kept or preserved in cold storage or refrigerating warehouses," now on the order of second reading.

Said bill having been announced, Mr. Ebbetts moved to amend as follows:

Page 2, line 9, strike out the words " any period of time " and insert in italics the words " more than ".

Line 10, strike out the word " whatsoever " and insert in italics the words " thirty days ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

On motion of Mr. A. E. Smith, the House adjourned until Friday, February 17th, at 11 o'clock A. M.

FRIDAY, FEBRUARY 17, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Alfred J. Higgins.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Messrs. Chanler of Dutchess, Evans of Sullivan, Huber of Queens and Wheeler of Delaware were excused until Monday next.

Mr. Kennedy of Queens was excused until Monday next.

A message from the Governor, by the hand of his Secretary, was received and read in words following:

See Appendix No. 4, which was laid upon the table and ordered printed.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Cullen	Fiero	Gittins	Pollock	Wagner	
Ferris					6

FOR CHAUNCEY M. DEPEW.

Bussey	Sage	2

FOR MARTIN W. LITTLETON.

Burd	1

FOR JOHN D. KERNAN.

Roosevelt	1

FOR M. J. O'BRIEN.

Loomis	1

FOR WILLIAM SULZER.

White	1

When the roll was called the following pairs were announced:

Mr. Allen with Mr. Bayne; Mr. Argetsinger with Mr. Black; Mr. Brackett with Mr. Grady; Mr. Coats with Mr. Duhamel; Mr. Cobb with Mr. Frawley; Mr. Emerson with Mr. Cronin; Mr. Griffith with Mr. Griffin; Mr. Hamilton with Mr. Harden; Mr. Heacock with Mr. Harte; Mr. Hewitt with Mr. Long; Mr. Hinman with Mr. McClelland; Mr. Newcomb with Mr. McManus; Mr. Ormrod with Mr. Murtaugh; Mr. Platt with Mr. O'Brien; Mr. Rose with Mr. Ramsperger; Mr. Thomas with Mr. Saxe; Mr. Travis with Mr. Stilwell; Mr. Wainwright with Mr. Sullivan, C. D.; Mr. Walters with Mr. Sullivan, T. D.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bush	Cuvillier	Frisbie	Levy A J	Smith A E	
Collin	Dawson	LaReau	Oliver		9

FOR CHAUNCEY M. DEPEW.

Ebbetts	Lansing	White	Wilson	Yeomans	5

FOR EDWARD M. SHEPARD.

Fry	1

FOR MARTIN W. LITTLETON.

Hollmann	Hoyt	2

FOR JOHN D. KERNAN.

Beach	Bridenbecker	Day	Martin	Terry	
Brace	Cosad	Drummond	Miller		9

FOR WILLIAM SULZER.

Myers	1

FOR J. H. DOUGHERTY.

Shortt	1

FOR J. HAUSEN.

O'Connor	1

FOR MARTIN H. GLYNN.

Saunders	1

When the roll was called the following pairs were announced:

Mr. Brennan with Mr. Hammond; Mr. Caughlan with Mr. T. K. Smith; Mr. Foley with Mr. Murray; Mr. Gerhardt with Mr.

Macdonald; Mr. Monczynski with Mr. Thorn; Mr. Weil with Mr. Sweet; Mr. Goldberg with Mr. Shlivek; Mr. Gurnett with Mr. Yale; Mr. Fay with Mr. Stivers; Mr. Geatons with Mr. Pierce; Mr. Donovan with Mr. Constantine; Mr. Goodman with Mr. Mork; Mr. Hearn with Mr. Lincoln; Mr. Seeley with Mr. Shannon; Mr. Gregg with Mr. Jones; Mr. Donnelly with Mr. Nolan; Mr. Zorn with Mr. Butler; Mr. McElligott with Mr. Gray; Mr. Warren with Mr. Young; Mr. Turley with Mr. F. A. Waters; Mr. W. R. Herrick with Mr. J. S. Parker; Mr. J. J. O'Neill with Mr. Coffey; Mr. Schifferdecker with Mr. Keys; Mr. Hackett with Mr. Merritt; Mr. McCue with Mr. MacGregor; Mr. Egan with Mr. Allen; Mr. Boylan with Mr. Higgins; Mr. Patrie with Mr. Shepardson; Mr. Goldstein with Mr. Hart; Mr. Farrell with Mr. Connell; Mr. Sheide with Mr. Talmage; Mr. Delano with Mr. Jackson; Mr. Jameson with Mr. Ahern; Mr. M. A. O'Neil with Mr. Hoff; Mr. Wende with Mr. Hinman; Mr. Blauvelt with Mr. Adler; Mr. Gerken with Mr. Colne; Mr. J. Levy with Mr. Ward; Mr. Sullivan with Mr. Neupert; Mr. Heyman with Mr. Filley; Mr. Bryan with Mr. McKeon; Mr. J. J. Herrick with Mr. C. W. Phillips; Mr. A. Parker with Mr. Brooks; Mr. Hoey with Mr. Goodwin; Mr. Carew with Mr. Winters; Mr. Spielberg with Mr. Cheney; Mr. Washburn with Mr. Lent; Mr. Walker with Mr. Brown.

Whole number of votes cast..... 42

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	6	9	15
For Chauncey M. Depew.....	2	5	7
For Edward M. Shepard.....	0	1	1
For Martin W. Littleton.....	1	2	3
For Martin H. Glynn.....	0	1	1
For John W. Kernan.....	1	9	10
For M. J. O'Brien.....	1	0	1
For William Sulzer	1	1	2
For J. H. Dougherty.....	0	1	1
For J. Hausen	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced

that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Cullen, the joint assembly took a recess until Saturday, February 18th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Saturday, February 18th, at 12 o'clock noon in the Assembly Chamber.

Mr. Boylan introduced a bill entitled "An act to amend the Public Health Law, in relation to the vaccination of school children" (Int. No. 583), which was read the first time and referred to the committee on public health.

Mr. DeLano introduced a bill entitled "An act making an appropriation for highway improvement in expediting the construction of portions of State route number nine" (Int. No. 584), which was read the first time and referred to the committee on ways and means.

Mr. Gillen introduced a bill entitled "An act to amend the Judiciary Law, in relation to the salary of the calendar clerk of the surrogate's court of Kings county" (Int. No. 585), which was read the first time and referred to the committee on the judiciary.

Mr. Goldberg introduced a bill entitled "An act to exempt the real estate of charitable infant asylum corporations in the State of New York, from certain assessments for public improvements" (Int. No. 586), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Hackett introduced a bill entitled "An act to amend the Railroad Law, in relation to the operation of certain railroads in the city of New York" (Int. No. 587), which was read the first time and referred to the committee on railroads.

Mr. Hearn introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to exemptions and executions" (Int. No. 588), which was read the first time and referred to the committee on codes.

Mr. Jackson introduced a bill entitled "An act to amend the Election Law, in relation to primary elections" (Int. No. 589), which was read the first time and referred to the committee on the judiciary.

Mr. McCue introduced a bill entitled "An act to amend the Penal Code, in relation to persons or corporations loaning money on salaries, goods, chattels, household furniture, wearing apparel, works of art or jewelry" (Int. No. 590), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Liquor Tax Law, in relation to consents of property owners to the granting of liquor tax certificates" (Int. No. 591), which was read the first time and referred to the committee on excise.

Mr. Young introduced a bill entitled "An act to amend the Highway Law, in relation to the purchase of lands to be acquired for right of way and other purposes, and payment therefor" (Int. No. 592), which was read the first time and referred to the committee on internal affairs.

Mr. Sheide introduced a bill entitled "An act to amend the Village Law, in relation to supervision and extension of lighting system" (Int. No. 593), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to make legal, ratify and confirm the organization, acts and proceedings of union free school district number two of the town of Brookhaven, county of Suffolk, its board of education, officers and agents, in the matter of the issuance and sale of the bonds of said district, dated September first, nineteen hundred and ten, issued partly for the construction of a new schoolhouse in said district and partly for the purchase of a site therefor, to validate said bonds and provide for the raising of funds for their payment by taxation in said district" (Int. No. 594), which was read the first time and referred to the committee on public education.

Also, "An act to provide for dredging the Senix river in Suffolk county, widening and deepening the channel thereof, erecting a breakwater in Moriches bay, and making an appropriation therefor" (Int. No. 595), which was read the first time and referred to the committee on ways and means.

Mr. Weil introduced a bill entitled "An act to amend section two hundred and seventy-one of the Code of Criminal Procedure to furnish the defendant in a criminal action with a transcript of the grand jury minutes in certain cases" (Int. No. 596), which was read the first time and referred to the committee on codes.

Mr. Zorn introduced a bill entitled "An act to legalize, ratify and confirm the incorporation of the Winfield Athletic Club and its corporate acts and those of its trustees, including amendments to its certificate of incorporation" (Int. No. 597), which was read the first time and referred to the committee on general laws.

Mr. Cuvillier introduced a bill entitled "An act to amend chapter ten of the Laws of nineteen hundred and nine and the acts amendatory thereto, known as the Banking Law, creating a new article known as article nine-a of the Banking Law, relative to the incorporation of stock exchanges, their supervision by the Banking Department, the licensing of stock brokers, and the law regulating the buying and selling of stocks and bonds" (Int. No. 598), which was read the first time and referred to the committee on banks.

Mr. Hollmann introduced a bill entitled "An act to amend the Judiciary Law, in relation to the appointment, duties and salary of an attendant in the Supreme Court in Nassau county" (Int. No. 599), which was read the first time and referred to the committee on the judiciary.

Mr. Foley introduced a bill entitled "An act to amend the Personal Property Law, relative to transfers of shares of stock in corporations" (Int. No. 600), which was read the first time and referred to the committee on general laws.

Mr. Dawson introduced a bill entitled "An act to amend the General City Law, in relation to plumbers" (Int. No. 601), which was read the first time and referred to the committee on affairs of cities.

Mr. Turley introduced a bill entitled "An act to amend the Greater New York charter, in relation to secret societies and fraternities in the public schools of New York city" (Int. No. 602), which was read the first time and referred to the committee on affairs of cities.

The Senate sent for concurrence the following entitled bill:

"An act to authorize the Maple Grove Cemetery Association of Worcester, Otsego county, New York, to accept a gift or bequest for the purpose of caring for a certain cemetery lot situate without the boundaries of the cemetery of such association" (No. 217, Rec. No. 14), which was read the first time and referred to the committee on internal affairs.

Mr. Bush, from the committee on public health, to which was referred Assembly bill introduced by Mr. Bush (No. 527, Int. No. 512), entitled "An act to amend the Public Health Law, in relation to burial and burial permits," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Bush, from the committee on public health, to which was referred Assembly bill (No. 155, Int. No. 154) introduced by Mr. Brennan, entitled "An act to amend the Public Health Law, relating to cold storage and refrigerating warehouses and places, and the sale or disposition of the food kept or preserved therein," reported in favor of the passage of the same, with the following amendments:

Page 2, line 9, after word "article" and before word "used" insert "except fruits and vegetables".

Page 2, line 14, after word "refrigerating" and before the word "to" insert "or who own, control or lease any cold storage or refrigerating plant".

Page 2, line 14, after word "receive" insert a comma, and before the word "any" insert "nor shall any person or persons, corporation or corporations place therein".

Page 2, line 17, after word "refrigerating" change period to comma and insert "and it shall be unlawful for any such person or persons, corporation or corporations, to receive any kind of food which has been kept in cold storage without the State, unless at the time of such receipt it is branded, stamped or marked with the day, month or year when it was placed in cold storage in such other State."

Page 2, line 20, after the word "refrigerating" insert "or who own, control or lease any cold storage or refrigerating plant".

Page 2, line 23, after word "refrigerating" insert "or who own, control or lease any cold storage or refrigerating plant".

Page 3, line 2, after word "aforesaid" change period to comma, insert, "or by any person or persons, corporation or corporations owning, controlling or leasing any cold storage plant".

Page 3, line 6, after word " refrigerating " insert " or who own, control, or lease any cold storage or refrigerating plant ".

Page 4, line 5, after word " refrigerating " insert " or who own, control or lease any cold storage or refrigerating plant ".

Page 4, line 19, after word " place " insert " or by those owning, controlling or leasing any cold storage or refrigerating plant ".

Page 5, strike out section 339-c, comprising lines 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19. Insert the following, to be known as " Section 339-c. When food which has been in cold storage is released therefrom for the purpose of placing on the market for sale, it shall be a violation of the provisions of this article to again place such food in cold storage."

Page 5, after preceding section, 339-c, insert the following, to be known as " Section 339-d. It shall be a violation of the provisions of this article to knowingly sell any article or articles which have been kept in a cold storage or refrigerating plant without representing the same to have been so kept."

Page 5, line 20, change the numbering of section " 339-d " to section " 339-e ".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Kennedy (No. 81, Int. No. 81), entitled "An act authorizing the fire commissioner of the city of New York to allow a pension to Marcella A. Graham, the sister of a former member of such department."

Also, the bill introduced by Mr. A. E. Smith (No. 431, Int. No. 426), entitled "An act to amend the Judiciary Law, in relation to jurors in New York county."

Also, the bill introduced by Mr. McDaniels (No. 376, Int. No. 367), entitled "An act to amend the Ithaca city charter, in relation to the issue of bonds for or in aid of a water supply."

Also, the bill introduced by Mr. A. E. Smith (No. 267, Int. No. 265), entitled "An act to reappropriate certain unexpended balances for the State Commission in Lunacy."

Also, the bill introduced by Mr. C. W. Phillips (No. 280, Int. No. 278), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester, in relation to salaries.' "

Also, the bill introduced by Mr. McGrath (No. 192, Int. No. 191), entitled "An act to amend the General City Law, in relation to compensating certain city employees who are injured in the discharge of their duties."

Also, the bill introduced by Mr. A. E. Smith (No. 430, Int. No. 425), entitled "An act to amend the Judiciary Law, in relation to jurors in New York county."

Also, the bill introduced by Mr. Oliver (No. 84, Int. No. 84), entitled "An act to amend the Greater New York charter, relative to the compensation of commissioners of estimate and appraisal," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Yale (No. 461, Int. No. 452), entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and sixty-six, entitled 'An act to establish and incorporate the Drew Seminary and Female College,' in relation to providing for changing the number of trustees," reported the same with the following recommendations:

Page 1, line 2, after "entitled" insert comma.
Page 1, line 7, after "may" insert comma.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. A. E. Smith (No. 429, Int. No. 424), entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the selection of grand jurors," reported the same with the following recommendations:

On page 1, line 2 of title, after the word "entitled" insert comma.
On page 1, line 2, after word "entitled" insert comma.
On page 1, line 8, after comma insert "or one of his assistants".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act providing for the assessment and taxation of lands owned by the State in the county of Rockland." (No. 536, Int. No. 95.)

"An act to amend the Agricultural Law, in relation to actions against agricultural societies." (No. 152, Int. No. 151.)

On motion of Mr. A. E. Smith, the consideration of the calendar for the day was postponed until Monday, February 20th.

By unanimous consent, Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Whereas, The following resolution was unanimously adopted at the meeting of the council of the union of American Hebrew Congregations, held at Hotel Astor in the city of New York, on January 19, 1911, and referred to the executive board for transmission to the President of the United States and to Congress:

For more than a generation passports issued by our government to American citizens have been openly and continually disregarded and discredited by Russia in violation of its treaty obligations and the usage of civilized nations.

During all that time administration after administration, irrespective of party, has protested against this insult and humiliation and Congress has on repeated occasions given emphatic expression to its resentment of the stain imposed upon our national honor. Diplomacy has exhausted itself in ineffectual effort to bring relief, for which a new generation is impatiently waiting.

The citizenship of every American who loves his country has in consequence been subjected to degradation, and it has become a matter of such serious import to the people of the United States, as an entirety, that this condition can no longer be tolerated; be it, therefore,

Resolved, That it is the sense of this council, speaking not as a representative of Jews, but as a body of citizens having at heart the preservation of the honor of the Nation, joining in generous emulation with all other citizens to elevate its moral and political standards and to simulate an abiding consciousness of its ideal mission among the nations of the earth, that the President of the United States, the Department of State, and Congress, be respectfully and earnestly urged to take immediate measures, in conformity with the express terms of the treaties now existing between the United States and Russia, and in accordance with the laws of nations, to terminate such treaties, to the end that if treaty relations are to exist between the two nations it shall be

upon such conditions and guarantees only, as shall be consonant with the dignity of the American people.

Resolved (if the Senate concur), It is the sense of the Legislature of the State of New York that the above resolution expresses the sentiments of the State of New York and the violation of the treaty rights of the people of the United States and the treaty negotiated between Russia and the United States on December eighteenth, eighteen hundred and thirty-two; and as Russia has discriminated against the American citizens of the Jewish faith in refusing to honor American passports duly issued by the secretary of the United States and has refused and still refuses and declines to permit American Jews to reside in Russia, which is contrary and in violation of the laws of nations and the international laws of civilization; and be it further

Resolved, It is the sense of the Legislature of the State of New York that the United States should abrogate the treaty negotiated between the United States and the Russian Empire on December eighteenth, eighteen hundred and thirty-two, for the violation of the same on the part of the Russian Empire; and be it further

Resolved, That a copy of this resolution be sent by the President of the Senate and the Speaker of the Assembly to the President of the United States and to each member of Congress.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

The Senate returned the bill (No. 58, Int. No. 59), entitled "An act to legalize the establishment of the Roslyn water district in the town of North Hempstead, and the issuance and sale of the bonds of said town to install a water plant in said district, and to provide for the payment of said bonds," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. A. E. Smith, the House adjourned until Saturday, February 18th, at 11:30 o'clock A. M.

SATURDAY, FEBRUARY 18, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Collin, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. O'Connor introduced a bill entitled "An act to amend the Insurance Law, in relation to the standard provisions in life insurance policies" (Int. No. 603), which was read the first time and referred to the committee on insurance.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Hammond (No. 577, Int. No. 487), entitled "An act to amend chapter three hundred and fifty-six of the Laws of nineteen hundred and seven, as amended by chapter one hundred and seven of the Laws of nineteen hundred and nine, entitled 'An act to provide for the construction of intercepting sewers in and for the city of Syracuse,'" reported the same without recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to reappropriate certain unexpended balances for the State Commission in Lunacy." (No. 267, Int. No. 265.)

"An act to amend the Judiciary Law, in relation to jurors in New York county." (No. 430, Int. No. 425.)

"An act to amend the Judiciary Law, in relation to jurors in New York county." (No. 431, Int. No. 426.)

"An act to amend the General City Law, in relation to compensating certain city employees who are injured in the discharge of their duties." (No. 192, Int. No. 191.)

"An act authorizing the fire commissioner of the city of New York to allow a pension to Marcella A. Graham, the sister of a former member of such department." (No. 81, Int. No. 81.)

"An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to salaries." (No. 280, Int. No. 278.)

"An act to amend the Greater New York charter, relative to the compensation of commissioners of estimate and appraisal." (No. 84, Int. No. 84.)

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The presiding officer of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Ferris	Gittins	2

FOR JOHN D. KERNAN.

Roosevelt	1

When the roll was called the following pairs were announced:

Mr. Allen with Mr. Bayne; Mr. Argetsinger with Mr. Black; Mr. Brackett with Mr. Grady; Mr. Coats with Mr. Duhamel; Mr. Cobb with Mr. Frawley; Mr. Emerson with Mr. Cronin; Mr. Griffith with Mr. Griffin; Mr. Hamilton with Mr. Harden; Mr. Heacock with Mr. Harte; Mr. Hewitt with Mr. Long; Mr. Hinman with Mr. McClelland; Mr. Newcomb with Mr. McManus; Mr. Ormond with Mr. Murtaugh; Mr. Platt with Mr. O'Brien; Mr. Rose with Mr. Ramsperger; Mr. Thomas with Mr. Saxe; Mr. Travis with Mr. Stilwell; Mr. Wainwright with Mr. C. D. Sullivan; Mr. Walters with Mr. T. D. Sullivan; Mr. Burd with Mr. Bussey; Mr. Fiero with Mr. Sage.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Collin	Gould	LaReau	3

FOR CHAUNCEY M. DEPEW.

Lansing	White	Wilson	Yeomans	4

FOR EDWARD M. SHEPARD.

Terry				1

FOR MARTIN W. LITTLETON.

Hollmann				1

FOR JOHN D. KERNAN.

Cosad	Day	Martin	Shortt	4

FOR J. HAUSEN.

O'Connor				1

When the roll was called the following pairs were announced:

Mr. Brennan with Mr. Hammond; Mr. Caughlan with Mr. T. K. Smith; Mr. Bush with Mr. Ebbetts; Mr. Foley with Mr. Murray; Mr. Gerhardt with Mr. Macdonald; Mr. Moneczynski with Mr. Thorn; Mr. Weil with Mr. Sweet; Mr. Goldberg with Mr. Shlivek; Mr. Gurnett with Mr. Yale; Mr. Fay with Mr. Stivers; Mr. Geatons with Mr. Pierce; Mr. Donovan with Mr. Constantine; Mr. Goodman with Mr. Mork; Mr. Hearn with Mr. Lincoln; Mr. Seeley with Mr. Shannon; Mr. Gregg with Mr. Jones; Mr. Donnelly with Mr. Nolan; Mr. Zorn with Mr. Butler; Mr. McElligott with Mr. Gray; Mr. Warren with Mr. Young; Mr. Turley with Mr. F. A. Waters; Mr. W. R. Herrick with Mr. J. S. Parker; Mr. J. J. O'Neill with Mr. Coffey; Mr. Schifferdecker with Mr. Keys; Mr. Hackett with Mr. Merritt; Mr. McCue with Mr. MacGregor; Mr. Egan with Mr. Allen; Mr. Boylan with Mr. Higgins; Mr. Patrie with Mr. Shepardson; Mr. Goldstein with Mr. Hart; Mr. Farrell with Mr. Connell; Mr. Sheide with Mr. Talmage; Mr. Delano with Mr. Jackson; Mr. Jameson with Mr. Ahern; Mr. M. A. O'Neil with Mr. Hoff; Mr. Wende with Mr. Hinman; Mr. Blauvelt with Mr. Adler; Mr. Gerken with Mr. Colne; Mr. J. Levy with Mr. Ward; Mr. Sullivan with Mr. Neupert; Mr. Heyman with Mr. Filley; Mr. Bryan with Mr. McKeon; Mr. J. J. Herrick with Mr. C. W. Phillips; Mr. A. Parker with Mr. Brooks; Mr. Hoey with Mr. Goodwin; Mr. Carew with Mr. Winters; Mr. Spielberg with Mr. Cheney; Mr. Washburn with Mr. Lent; Mr. Walker with Mr. Brown.

Whole number of votes cast..... 17

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	2	3	5
For Chauncey M. Depew.....	0	4	4
For Edward M. Shepard.....	0	1	1
For Martin W. Littleton.....	0	1	1
For John W. Kernan.....	1	4	5
For J. Hausen	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the presiding officer of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Gittins, the joint assembly took a recess until Monday, February 20th, at 12 o'clock noon.

The Senate having retired, MR. SPEAKER announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made, and that the joint assembly had adjourned to meet Monday, February 20th, at 12 o'clock noon in the Assembly Chamber.

A communication was received from the Hon. H. H. Edgerton, mayor of the city of Rochester, returning Assembly bill (No. 101, Int. No. 101), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the fire pension fund," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Collin, the House adjourned until Monday, February 20th, at 11 o'clock A. M.

MONDAY, FEBRUARY 20, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Lawrence B. Martin.

On motion of Mr. A. E. Smith, the reading of the journal of Saturday, February 18th, was dispensed with, and the same was approved.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Dawson	Herrick W R	Miller	Smith T K
Ahern	Day	Hinman	Monczynski	Spielberg
Allen	DeLano	Hoey	Mork	Stivers
Beach	Donnelly	Hollmann	Murray	Sullivan
Blauvelt	Drummond	Hoyt	Myers	Sweet
Brace	Ebbetts	Huber	Neupert	Talmage
Brennan	Egan	Jackson	Nolan	Terry
Brereton	Evans	Jameson	O'Connor	Thoin
Bridenbecker	Farrell	Jones	Pappert	Trombly
Brooks	Filley	Kennedy	Parker A	Turley
Brown	Fitzpatrick	Keys	Parker J S	Walker
Bryant	Friedman	Lansing	Patrie	Warren
Bush	Fry	LaReau	Phillips C W	Waters F A
Butler	Geatons	Levy A J	Phillips J S	Waters R B
Carew	Gillen	Levy J	Pierce	Weil
Cheney	Goldstein	MacGregor	Saunders	Wende
Coffey	Goodman	Manley	Schifferdecker	Wheeler
Collin	Goodwin	Martin	Seeley	White
Colné	Gould	McCue	Shannon	Wilson
Connell	Gray	McDaniels	Sheide	Winters
Constantine	Gregg	McElligott	Shepardson	Yale
Cosad	Hackett	McKeon	Shlivek	Yeomans
Cross	Hart	Merritt	Smith A E	Speaker
Cuvillier	Hammond			

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented the annual report of the State Board of Tax Commissioners, which was laid upon the table and ordered printed.

(See Assembly Document No. 32.)

Mr. Collin introduced a bill entitled "An act to amend the Penal Law, in relation to selling tobacco and kindred articles to

children and their use by the latter" (Int. No. 604), which was read the first time and referred to the committee on codes.

Mr. Butler introduced a bill entitled "An act to amend the Agricultural Law, in relation to information to be furnished to persons dealing in products whose manufacture or sale, or keeping of which is regulated or forbidden by the Agricultural Law" (Int. No. 605), which was read the first time and referred to the committee on agriculture.

Mr. Cheney introduced a bill entitled "An act to authorize school district number four of the town of Ashford, Cattaraugus county, to acquire for school purposes certain lands therein heretofore used for cemetery purposes" (Int. No. 606), which was read the first time and referred to the committee on public education.

Mr. Monczynski introduced a bill entitled "An act to amend section three hundred and ten of chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter eighty-three of the Laws of eighteen hundred and ninety-eight, relating to the removal of snow and ice from sidewalks on the parks, parkways and park approaches in said city" (Int. No. 607), which was read the first time and referred to the committee on affairs of cities.

Mr. Wende introduced a bill entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the department of police in said city" (Int. No. 608), which was read the first time and referred to the committee on affairs of cities.

Mr. Shepardson introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to hunting hares and rabbits in Chenango county" (Int. No. 609), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Wende introduced a bill entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the police pension fund of said city" (Int. No.

610), which was read the first time and referred to the committee on affairs of cities.

Mr. Hoey introduced a bill entitled "An act reappropriating the unexpended balance of the appropriation heretofore made to the New York Interstate Bridge Commission, and making an additional appropriation therefor" (Int. No. 611), which was read the first time and referred to the committee on ways and means.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Ferris	Gittins	Walker	3

FOR MARTIN W. LITTLETON.

Burd	1

FOR JOHN D. KERNAN.

Roosevelt	1

FOR WILLIAM SULZER.

White	1

FOR M. J. O'BRIEN.

Saxe	1

FOR J. J. HOPPER.

Duhamel	1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Allen with Mr. Bayne; Mr. Argetsinger with Mr. Black; Mr. Bussey with Mr. Cronin; Mr. Coats with Mr. Cullen; Mr. Cobb with Mr. Fiero; Mr. Emerson with Mr. Frawley; Mr. Griffith with Mr. Griffin; Mr. Hamilton with Mr. Long; Mr. Heacock with Mr. McClelland; Mr. Hewitt with Mr. McManus; Mr. Hinman with Mr. Murtaugh; Mr. Ormrod with Mr. Harden; Mr. Platt with Mr. Harte; Mr. Rose with Mr. O'Brien; Mr. Sage with Mr. Pollock; Mr. Thomas with

Mr. Ramsperger; Mr. Travis with Mr. Sanner; Mr. Wainwright with Mr. Stilwell; Mr. Walters with Mr. Sullivan, T. D.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Farrell	Herrick J J	McCue	Sheide	
Brennan	Fitzpatrick	Herrick W R	McElligott	Smith A E	
Bush	Frisbie	Hoey	McKeon	Spielberg	
Carew	Geatons	Jackson	Monczynski	Turley	
Collin	Gillen	Jameson	Mork	Walters	
Cuvillier	Goldstein	LaReau	Neupert	Warren	
Dawson	Gould	Levy A J	Parker A	Weil	
Donnelly	Gregg	Levy J	Patrie	Wende	
Egan	Hackett	Manley	Seeley		44

FOR CHAUNCEY M. DEPEW.

Adler	Connell	Hart	Pappert	Talmage	
Ahern	Constantine	Hinman	Parker J S	Thorn	
Allen	Cross	Hoff	Phillips C W	Waters F A	
Brereton	DeLano	Jones	Phillips J S	Waters R B	
Brooks	Filley	Lansing	Prierce	White	
Brown	Goodman	MacGregor	Shannon	Wilson	
Bryant	Goodwin	Merritt	Shepardson	Winters	
Cheney	Gray	Murray	Shlivek	Yeomans	
Coffey	Hammond	Nolan	Sullivan		44

FOR EDWARD M. SHEPARD.

Fay	Huber	Terry	3

FOR ALTON B. PARKER.

McDaniels	1

FOR MARTIN W. LITTLETON.

Hollmann	Hoyt	2

FOR MARTIN H. GLYNN.

Saunders	1

FOR JOHN D. KERNAN.

Beach	Cosad	Evans	Martin	Trombly	
Brace	Day	Friedman	Miller	Wheeler	
Bridenbecker	Drummond				12

FOR WILLIAM SULZER.

Kennedy	Myers	2

FOR J. J. HOPPER.

O'Connor	1

When the roll was called the following pairs were announced:

Mr. Baumes with Mr. McGrath; Mr. Butler with Mr. Oliver; Mr. Colne with Mr. J. J. O'Neill; Mr. Ebbetts with Mr. M. A.

O'Neil; Mr. Haines with Mr. Schifferdecker; Mr. Higgins with Mr. Zorn; Mr. Keys with Mr. Boylan; Mr. Kopp with Mr. Caughlan; Mr. Lent with Mr. Donovan; Mr. Macdonald with Mr. Fay; Mr. Shea with Mr. Foley; Mr. T. K. Smith with Mr. Gerhardt; Mr. Stivers with Mr. Gerken; Mr. Sweet with Mr. Goldberg; Mr. Ward with Mr. Graubard; Mr. Waring with Mr. Gurnett; Mr. Yale with Mr. Hearn; Mr. Young with Mr. Heyman.

Mr. Lincoln of Chautauqua was excused.

Whole number of votes cast	118
Necessary to a choice	60

	Senators.	Assemblymen.	Total.
For William F. Sheehan	3	44	47
For Chauncey M. Depew	0	44	44
For Edward M. Shepard	0	3	3
For Alton B. Parker	0	1	1
For Martin W. Littleton	1	2	3
For Martin H. Glynn	0	1	1
For John W. Kernan	1	12	13
For M. J. O'Brien	1	0	1
For William Sulzer	1	2	3
For J. J. Hopper	1	1	2

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew, whose term of office will expire on the 4th day of March, 1911.

Mr. Frawley offer for the consideration of the joint assembly a resolution, in the words following:

Resolved, That this joint assembly take a recess until Tuesday, at 12 o'clock noon, to-morrow, for the purpose of proceeding with the business now under consideration.

The President of the Senate put the question whether the joint assembly would agree to said resolution, and it was determined in the affirmative.

Those who voted in the affirmative were:

Burd	Cosad	Gillen	LaReau	Parker A
Duhamel	Cuvillier	Goldstein	Levy A J	Patrie
Ferris	Dawson	Gould	Levy J	Saunders

Gittins	Day	Gregg	Manley	Seeley
Roosevelt	Donnelly	Hackett	Martin	Sheide
Saxe	Donovan	Herrick J J	McCue	Smith A E
Wagner	Drummond	Herrick W R	McDaniels	Spielberg
White	Egan	Heyman	McElligott	Terry
Beach	Evans	Hoey	McKeon	Trombly
Blauvelt	Farrell	Hollmann	Miller	Turley
Brace	Fitzpatrick	Hoyt	Monczynski	Walker
Brennan	Friedman	Huber	Mork	Warren
Bridenbecker	Frisbie	Jackson	Myers	Weil
Bush	Fry	Jameson	Nepuert	Wende
Carew	Geatons	Kennedy	O'Connor	Wheeler
Collin				76

Those who voted in the negative were:

Adler	Constantine	Hoff	Phillips C W	Talmage
Ahern	DeLano	Jones	Phillips J S	Thorn
Allen	Ebbetts	Lansing	Pierce	Ward
Brereton	Filley	MacGregor	Shannon	Waters F A
Brooks	Goodman	Merritt	Shepardson	Waters R B
Brown	Goodwin	Murray	Shlivek	White
Cheney	Gray	Nolan	Sullivan	Wilson
Coffey	Hammond	Pappert	Sweet	Yeomans
Connell	Hinman	Parker J S		43

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made, and that the joint assembly had adjourned to meet Tuesday, February 21st, at 12 o'clock noon in the Assembly Chamber.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed and engrossed:

"An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and sixty-six, entitled 'An act to establish and incorporate the Drew Seminary and Female College,' in relation to providing for changing the number of trustees." (No. 608, Int. No. 452.)

"An act to amend chapter three hundred and ninety-two of the Laws of nineteen hundred and two, entitled 'An act to authorize the common council of the city of Cohoes to borrow money by the issuing of bonds for the improvement of the quality and quantity of the present water supply, and the procuring of an additional supply of pure and wholesome water for said city,' to authorize the common council to amend its resolution fixing the rate of interest on bonds to be issued thereunder, and ratifying and confirming the action of the city, its common council, board of water

commissioners, officers and agents in respect to proceedings leading up to and including the passage of such resolution." (No. 633, Int. No. 267.)

"An act to amend chapter three hundred and eighty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the city of Cohoes to borrow money for the purpose of better equipping its fire department, and to issue and sell its bonds for the money so borrowed, and to provide for raising money by taxation in said city for the redemption of said bonds and the payment of interest thereon,' to authorize the common council to amend its resolution fixing the rate of interest on bonds to be issued thereunder, and ratifying and confirming the action of the city, its common council, officers and agents in respect to proceedings leading up to and including the passage of such resolution." (No. 632, Int. No. 227.)

"An act to amend the Ithaca city charter, in relation to the issue of bonds for or in aid of a water supply." (No. 376, Int. No. 367.)

"An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the selection of grand jurors." (No. 609, Int. No. 424.)

"An act to amend chapter seven hundred and thirty-eight of the Laws of eighteen hundred and ninety-seven, entitled 'An act creating a board of assessors in and for the city of Utica, and defining its powers,' relative to preparing and review of assessment-rolls." (No. 335, Int. No. 334.)

The bill (No. 301, Int. No. 300) entitled "An act to amend the Tax Law, in relation to organization tax," was read the second time.

On motion of Mr. MacGregor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 266, Int. No. 264) entitled "An act to amend the Tax Law, in relation to receipts by collectors and receivers of taxes," having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 151, Int. No. 150) entitled "An act to amend the Indian Law, in relation to prosecution of actions and proceedings by the Seneca Nation of Indians," was read the second time.

On motion of Mr. C. W. Phillips, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 345, Int. No. 344) entitled "An act to establish the office of receiver of taxes of the town of Babylon, in the county of Suffolk, defining the powers and duties of the receiver and fixing his compensation," was read the second time.

On motion of Mr. Sheide, said bill was placed on the order of third reading.

On motion of Mr. Sheide, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	Monczynski	Smith T K
Ahern	Day	Herrick W R	Mork	Spielberg
Allen	DeLano	Hinman	Murray	Stivers
Beach	Donnelly	Hoey	Myers	Sullivan
Blauvelt	Drummond	Hollmann	Neupert	Sweet
Brace	Ebbetts	Huber	Nolan	Talmage
Brennan	Egan	Jackson	O'Connor	Terry
Brereton	Evans	Jameson	Pappert	Thorn
Bridenbecker	Farrell	Jones	Parker A	Trombly
Brooks	Filley	Kennedy	Parker J S	Turley
Brown	Fitzpatrick	Keys	Patrie	Walker
Bryant	Friedman	Lansing	Phillips C W	Ward
Bush	Fry	LaReau	Phillips J S	Warren
Butler	Geatons	Levy A J	Pierce	Waters F A
Carew	Gillen	Levy J	Saunders	Waters R B
Cheney	Goldstein	MacGregor	Schifferdecker	Weil
Coffey	Goodman	Manley	Seeley	Wende
Collin	Goodwin	Martin	Shannon	Wheeler
Colné	Gould	McCue	Sheide	White
Connell	Gray	McDaniels	Shepardson	Wilson
Constantine	Gregg	McElligott	Shlivek	Winters
Cosad	Hackett	McKeon	Shortt	Yale
Cross	Hart	Merritt	Smith A E	Yeomans
Cuvillier	Hammond	Miller		

Ordered, That the Clerk engross said bill and deliver the same to the Senate, and request their concurrence therein.

The bill (No. 135, Int. No. 134) entitled "An act to amend the Agricultural Law, in relation to the definition of the terms 'butter' and 'cheese,'" was read the second time.

On motion of Mr. Shepardson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 527, Int. No. 512) entitled "An act to amend the Public Health Law, in relation to burial and burial permits," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 572, Int. No. 224) entitled "An act to amend the Code of Civil Procedure, in relation to examinations in proceedings supplemental to execution," was read the second time.

On motion of Mr. Goodman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 275, Int. No. 273) entitled "An act providing for the installing of an elevator in the State armory at Elmira for the use of the several posts of the Grand Army of the Republic occupying the third story of said armory, pursuant to chapter two hundred and eighty-three, Laws of eighteen hundred and eighty-seven, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	Monczynski	Smith T K
Ahern	Day	Herrick W R	Mork	Spielberg
Allen	DeLano	Hinman	Murray	Stivers
Beach	Donnelly	Hoey	Myers	Sullivan
Blauvelt	Drummond	Hollmann	Neupert	Sweet

Brace	Ebbetts	Huber	Nolan	Talmage
Brennan	Egan	Jackson	O'Connor	Terry
Brereton	Evans	Jameson	Pappert	Thorn
Bridenbecker	Farrell	Jones	Parker A	Trombly
Brooks	Filley	Kennedy	Parker J S	Turley
Brown	Fitzpatrick	Keys	Patrie	Walker
Bryant	Friedman	Lansing	Phillips C W	Ward
Bush	Fry	LaReau	Phillips J S	Warren
Butler	Geatons	Levy A J	Pierce	Waters F A
Carew	Gillen	Levy J	Saunders	Waters R B
Cheney	Goldstein	MacGregor	Schifferdecker	Weil
Coffey	Goodman	Manley	Seeley	Wende
Collin	Goodwin	Martin	Shannon	Wheeler
Colne	Gould	McCue	Sheide	White
Connell	Gray	McDaniels	Shepardson	Wilson
Constantine	Gregg	McElligott	Shlivek	Winters
Cosad	Hackett	McKeon	Shortt	Yale
Cross	Hart	Merritt	Smith A E	Yeomans
Cuvillier	Hammond	Miller		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 512, Int. No. 262) entitled "An act to amend the Code of Criminal Procedure, in relation to admission to bail," having been announced for a third reading,

On motion of Mr. Murray, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 279, Int. No. 277) entitled "An act to amend the Agricultural Law, in relation to cider vinegar," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 471, Int. No. 132) entitled "An act to amend the Military Law, in relation to vacations of employees in armories and arsenals," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	Monczynski	Smith T K
Ahern	Day	Herrick W R	Mork	Spielberg
Allen	DeLano	Hinman	Murray	Stivers
Beach	Donnelly	Hoey	Myers	Sullivan
Blauvelt	Drummond	Hollmann	Neupert	Sweet
Brace	Ebbetts	Huber	Nolan	Talmage
Brennan	Egan	Jackson	O'Connor	Terry
Brereton	Evans	Jameson	Pappert	Thorn
Bridenbecker	Farrell	Jones	Parker A	Trombly
Brooks	Filley	Kennedy	Parker J S	Turley
Brown	Fitzpatrick	Keys	Patrie	Walker
Bryant	Friedman	Lansing	Phillips C W	Ward
Bush	Fry	LaReau	Phillips J S	Warren
Butler	Geatons	Levy A J	Pierce	Waters F A
Carew	Gillen	Levy J	Saunders	Waters R B
Cheney	Goldstein	MacGregor	Schifferdecker	Weil
Coffey	Goodman	Manley	Seeley	Wende
Collin	Goodwin	Martin	Shannon	Wheeler
Colné	Gould	McCue	Sheide	White
Connell	Gray	McDaniels	Shepardson	Wilson
Constantine	Gregg	McElligott	Shlivek	Winters
Cosad	Hackett	McKeon	Shortt	Yale
Cross	Hart	Merritt	Smith A E	Yeomans
Cuvillier	Hammond	Miller		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 470, Int. No. 322) entitled "An act to amend the Judiciary Law, in relation to salaries of attendants and messengers of surrogates' court of New York county and to repeal chapter four hundred and eighty-seven of the Laws of nineteen hundred and six, relative to the same subject," having been announced for a third reading,

On motion of Mr. Murray, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 513, Int. No. 33) entitled "An act to amend the Code of Criminal Procedure, relative to admitting the defendant to bail," having been announced for a third reading,

On motion of Mr. Murray, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 536, Int. No. 95) entitled "An act providing for the assessment and taxation of lands owned by the State in the

county of Rockland," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	Monczynski	Smith T K
Ahern	Day	Herrick W R	Mork	Spielberg
Allen	DeLano	Heyman	Murray	Stivers
Beach	Donnelly	Hoey	Myers	Sullivan
Blauvelt	Drummond	Hollmann	Neupert	Sweet
Brace	Ebbetts	Huber	Nolan	Talmage
Brennan	Egan	Jackson	O'Connor	Terry
Brereton	Evans	Jameson	Pappert	Thorn
Bridenbecker	Farrell	Jones	Parker A	Trombly
Brooks	Filley	Kennedy	Parker J S	Turley
Brown	Fitzpatrick	Keys	Patrie	Walker
Bryant	Friedman	Lansing	Phillips C W	Ward
Bush	Fry	LaReau	Phillips J S	Warren
Butler	Geatons	Levy A J	Pierce	Waters F A
Carew	Gillen	Levy J	Saunders	Waters R B
Cheney	Goldstein	MacGregor	Schifferdecker	Weil
Coffey	Goodman	Manley	Seeley	Wende
Collin	Goodwin	Martin	Shannon	Wheeler
Colné	Gould	McCue	Sheide	White
Connell	Gray	McDaniels	Shepardson	Wilson
Constantine	Gregg	McElligott	Shlivek	Winters
Cosad	Hackett	McKeon	Shortt	Yale
Cross	Hart	Merritt	Smith A E	Yeomans
Cuvillier	Hammond	Miller		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 152, Int. No. 151) entitled "An act to amend the Agricultural Law, in relation to actions against agricultural societies," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107
NOES 7

Those who voted in the affirmative were:

Adler	Cross	Hammond	McElligott	Smith A E
Ahern	Dawson	Herrick J J	McKeon	Stivers
Allen	Day	Heyman	Merritt	Sullivan
Beach	DeLano	Hinman	Miller	Sweet
Blauvelt	Donnelly	Hoey	Monczynski	Talmage
Brace	Drummond	Hoff	Murray	Terry
Brennan	Ebbetts	Hollmann	Myers	Thorn
Brereton	Evans	Hoyt	Neupert	Trombly
Bridenbecker	Farrell	Huber	Nolan	Turley
Brooks	Filley	Jameson	O'Connor	Waters F A
Brown	Fitzpatrick	Jones	Parker J S	Waters R B
Bryant	Friedman	Kennedy	Patrie	Weil
Bush	Fry	Keys	Phillips C W	Wende
Butler	Geatons	Lansing	Phillips J S	Wheeler
Cheney	Gillen	LaReau	Pierce	White
Coffey	Goldstein	Levy A J	Saunders	Wilson
Collin	Goodman	Levy J	Seeley	Winters
Colné	Goodwin	MacGregor	Shannon	Yale
Connell	Gregg	Manley	Sheide	Yeomans
Constantine	Hackett	McCue	Shlivek	Speaker
Cosad	Hart	McDaniels		

Those who voted in negative were:

Cuvillier	Herrick W R	Mork	Parker A	Warren
Egan	Jackson			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 430, Int. No. 425) entitled "An act to amend the Judiciary Law, in relation to jurors in New York county," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	Monczynski	Smith T K
Ahern	Day	Herrick W R	Mork	Spielberg
Allen	DeLano	Hinman	Murray	Stivers
Beach	Donnelly	Hoey	Myers	Sullivan
Blauvelt	Drummond	Hollmann	Neupert	Sweet

Brace	Ebbetts	Huber	Nolan	Talmage
Brennan	Egan	Jackson	O'Connor	Terry
Brereton	Evans	Jameson	Pappert	Thorn
Bridenbecker	Farrell	Jones	Parker A	Trombly
Brooks	Filley	Kennedy	Parker J S	Turley
Brown	Fitzpatrick	Keys	Patrie	Walker
Bryant	Friedman	Lansing	Phillips C W	Ward
Bush	Fry	LaReau	Phillips J S	Warren
Butler	Geatons	Levy A J	Pierce	Waters F A
Carew	Gillen	Levy J	Saunders	Waters R B
Cheney	Goldstein	MacGregor	Schifferdecker	Weil
Coffey	Goodman	Manley	Seeley	Wende
Collin	Goodwin	Martin	Shannon	Wheeler
Colné	Gould	McCue	Sheide	White
Connell	Gray	McDaniels	Shepardson	Wilson
Constantine	Gregg	McElligott	Shlivek	Winters
Cosad	Hackett	McKeon	Shortt	Yale
Cross	Hart	Merritt	Smith A E	Yeomans
Cuvillier	Hammond	Miller		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 431, Int. No. 426) entitled "An act to amend the Judiciary Law, in relation to jurors in New York county," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	Monczynski	Smith T K
Ahern	Day	Herrick W R	Mork	Spielberg
Allen	DeLano	Hinman	Murray	Stivers
Beach	Donnelly	Hoey	Myers	Sullivan
Blauvelt	Drummond	Hollmann	Neupert	Sweet
Brace	Ebbetts	Huber	Nolan	Talmage
Brennan	Egan	Jackson	O'Connor	Terry
Brereton	Evans	Jameson	Pappert	Thorn
Bridenbecker	Farrell	Jones	Parker A	Trombly
Brooks	Filley	Kennedy	Parker J S	Turley
Brown	Fitzpatrick	Keys	Patrie	Walker
Bryant	Friedman	Lansing	Phillips C W	Ward
Bush	Fry	LaReau	Phillips J S	Warren
Butler	Geatons	Levy A J	Pierce	Waters F A
Carew	Gillen	Levy J	Saunders	Waters R B
Cheney	Goldstein	MacGregor	Schifferdecker	Weil
Coffey	Goodman	Manley	Seeley	Wende

Collin	Goodwin	Martin	Shannon	Wheeler
Colné	Gould	McCue	Sheide	White
Connell	Gray	McDaniels	Shepardson	Wilson
Constantine	Gregg	McElligott	Shlivek	Winters
Cosad	Hackett	McKeon	Shortt	Yale
Cross	Hart	Merritt	Smith A E	Yeomans
Cuvillier	Hammond	Miller		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 192, Int. No. 191) entitled "An act to amend the General City Law, in relation to compensating certain city employees who are injured in the discharge of their duties," having been announced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 81, Int. No. 81) entitled "An act authorizing the fire commissioners of the city of New York to allow a pension to Marcella A. Graham, a sister of a former member of such department," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	Monczynski	Smith T K
Ahern	Day	Herrick W R	Mork	Spielberg
Allen	DeLano	Hinman	Murray	Stivers
Beach	Donnelly	Hoey	Myers	Sullivan
Blauvelt	Drummond	Hollmann	Neupert	Sweet
Brace	Ebbetts	Huber	Nolan	Talmage
Brennan	Egan	Jackson	O'Connor	Terry
Brereton	Evans	Jameson	Pappert	Thorn
Bridenbecker	Farrell	Jones	Parker A	Trombly
Brooks	Filley	Kennedy	Parker J S	Turley
Brown	Fitzpatrick	Keys	Patrie	Walker
Bryant	Friedman	Lansing	Phillips C W	Ward
Bush	Fry	LaReau	Phillips J S	Warren
Butler	Geatons	Levy A J	Pierce	Waters F A
Carew	Gillen	Levy J	Saunders	Waters R B
Cheney	Goldstein	MacGregor	Schifferdecker	Weil
Coffey	Goodman	Manley	Seeley	Wende

Collin	Goodwin	Martin	Shannon	Wheeler
Colné	Gould	McCue	Sheide	White
Connell	Gray	McDaniels	Shepardson	Wilson
Constantine	Gregg	McElligott	Shlivek	Winters
Cosad	Hackett	McKeon	Shortt	Yale
Cross	Hart	Merritt	Smith A E	Yeomans
Cuvillier	Hammond	Miller		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 280, Int. No. 278) entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to salaries," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	Monczynski	Smith T K
Ahern	Day	Herrick W R	Mork	Spielberg
Allen	DeLano	Hinman	Murray	Stivers
Beach	Donnelly	Hoey	Myers	Sullivan
Blauvelt	Drummond	Hollmann	Neupert	Sweet
Brace	Ebbetts	Huber	Nolan	Talmage
Brennan	Egan	Jackson	O'Connor	Terry
Brereton	Evans	Jameson	Pappert	Thorn
Bridenbecker	Farrell	Jones	Parker A	Trombly
Brooks	Filley	Kennedy	Parker J S	Turley
Brown	Fitzpatrick	Keys	Patrie	Walker
Bryant	Friedman	Lansing	Phillips C W	Ward
Bush	Fry	LaReau	Phillips J S	Warren
Butler	Geatons	Levy A J	Pierce	Waters F A
Carew	Gillen	Levy J	Saunders	Waters R B
Cheney	Goldstein	MacGregor	Schifferdecker	Weil
Coffey	Goodman	Manley	Seeley	Wende
Collin	Goodwin	Martin	Shannon	Wheeler
Colné	Gould	McCue	Sheide	White
Connell	Gray	McDaniels	Shepardson	Wilson
Constantine	Gregg	McElligott	Shlivek	Winters
Cosad	Hackett	McKeon	Shortt	Yale
Cross	Hart	Merritt	Smith A E	Yeomans
Cuvillier	Hammond	Miller		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 84, Int. No. 84) entitled "An act to amend the Greater New York charter, relative to the compensation of commissioners of estimate and appraisal," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

Mr. MacGregor offered for the consideration of the House a resolution, in the words following:

Whereas, The electric power companies of the State of New York have been granted valuable rights and franchises in the waters of the State for the purpose of producing electricity, and

Whereas, The results to the people of the State in the reduction of the cost of power and of electricity is not proportionate to the value of the rights granted by the State and the United States, and

Whereas, The rights granted are in their nature exclusive and monopolistic and the State should exercise jurisdiction over them to the end that the people of the State should be supplied with electricity at the minimum of cost, now, therefore, be it

Resolved (if the Senate concur), That a committee of seven be appointed, consisting of two members of the Senate, to be appointed by the President of the Senate, three members of the Assembly, to be appointed by the Speaker of the Assembly, and two citizens of the State of New York, to be appointed by the Governor, to inquire into the extent of the franchises now enjoyed by said power companies, the cost of production of electricity, the cost to the consumer, to inquire as to the legislation that should be adopted, fixing the rates or prices of electricity and to inquire and report generally as to all other matters and things in relation thereto, to the end that the people of the State may derive a proper benefit and advantage from the franchise granted, and that the manufacturing industries of our State may be increased and encouraged; it is further

Resolved, That said committee report to the Legislature its findings and recommendations on or before the 1st day of March, 1912; it is further

Resolved, That the committee have power to employ such counsel, experts and other assistants as may be necessary, to hold hearings within or without the State, to subpoena and compel the attendance of witnesses, and that the sum of ten thousand dollars be appropriated for the expenses of the committee, to be paid by the Comptroller upon the certificate of the chairman of the committee.

which was referred to the committee on ways and means.

Mr. Walker offered for the consideration of the House a resolution, in the words following:

Whereas, Postmaster-General Hitchcock is seeking approval of Congress for an increased rate of postage on magazines, which contain advertising matter; and

Whereas, It is well known the magazines of the country could not exist without advertising matter; and

Whereas, The representatives of labor unions are unanimously of the opinion that the increased rate of postage would drive many magazines from the commercial field and thereby deprive thousands of workmen of employment; therefore be it

Resolved (if the Senate concur), That the Legislature of the State of New York does hereby disapprove of the action contemplated by the Postmaster-General to increase the postage on magazines or other periodicals; and be it further

Resolved (if the Senate concur), That the representatives in Congress of the State of New York do all in their power to prevent the proposed action of the Postmaster-General; and be it further

Resolved (if the Senate concur), That the Speaker of the Assembly and the Lieutenant-Governor transmit a copy of these resolutions to the Vice-President of the United States and to each member of the House of Representatives and Senators of this State.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. Murray offered for the consideration of the House a resolution, in the words following:

Whereas, The Hon. Harold Friedman, a member of this House, has been recently quoted in substance, in the public press, as asserting that he had been promised a nomination for justice of the municipal court of the city of New York, if he would change his vote to the caucus candidate of the Democratic party for Senator, and intimated that other legislators had been subjected to improper proposals, and,

Whereas, A swarm of professional politicians have camped on the trail of the Legislature since its session began and have not made it appear that their presence was consistent with the public welfare, and,

Whereas, The alleged statements of the Hon. Harold Friedman show a very serious crime has been committed, and,

Whereas, No independent Legislature properly jealous of public respect and confidence would or should permit the attempted bribery of one of its members to go unnoticed, therefore be it

Resolved (if the Senate concur), That a committee of three Assemblymen and two Senators be appointed by the Speaker and the Lieutenant-Governor to investigate the said charges of attempted bribery; and be it further

Resolved (if the Senate concur), That said committee have power to employ a stenographer and necessary clerks and to issue subpœnas for all witnesses to compel their attendance at the hearings of the committee; and be it further

Resolved (if the Senate concur), That the sum of three thousand dollars be appropriated out of the contingent fund of the Legislature, not otherwise appropriated; and be it further

Resolved (if the Senate concur), That said committee make its report to this Legislature on or before the 1st day of April, 1911.

which was referred to the committee on ways and means.

Mr. Spielberg offered for the consideration of the House a resolution, in the words following:

Resolved, That the Legislature of the State of New York, speaking for the people of the State, does hereby express its sense that uniform treatment and protection should be accorded to every American citizen, regardless of race or creed, and that every earnest effort should be made by the executive department of this government to secure from the government of other countries uniformity of treatment and protection to American citizens holding passports duly issued by the authorities of the United States, in order that all American citizens shall have guaranteed freedom of travel and sojourn without regard to race, creed or religious faith, in all countries holding friendly relations with the United States, and be it further

Resolved, That our Senators and Representatives in Congress be requested to use their efforts to bring about this highly desirable result, and be it further

Resolved, That the Clerk be requested to transmit a copy of these resolutions to the President of the United States, and to each of our Senators and Representatives in Congress.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. Shlivek offered for the consideration of the House a resolution, in the words following:

Whereas, It is and always has been a fundamental principal of this government that the rights of its citizens shall not be impaired at home or abroad because of religious belief; and

Whereas, This government concludes its treaties for the equal protection of all classes of its citizens without regard to religious belief; and

Whereas, This government will not negotiate or be a party to any treaty which discriminates or which by one of the parties thereto is construed to discriminate between American citizens on the ground of religious belief; and

Whereas, The Government of Russia has violated the treaty between the United States of America and Russia, concluded at St. Petersburg, December 18, 1832, by construing that part of Article I thereof, which says that the inhabitants of the respective States "shall be at liberty to sojourn and reside in all parts whatsoever of said territories in order to attend to their affairs, and they shall enjoy to that effect the same security and protection as natives of the country wherein they reside, on condition of their submitting to the laws and ordinances there prevailing, and particularly to the regulations in force concerning commerce," to mean that American citizens of Jewish faith are subject in Russia to the same class restrictions that Russia imposes upon Russian inhabitants of Jewish faith, by declining to permit American citizens of Jewish faith to sojourn and reside in Russia in order to attend to their affairs and to enjoy to that effect the same security and protection as non-Jewish native Russians, and by refusing to honor American passports issued to American citizens of Jewish faith; and

Whereas, It is the judgment of the Legislature of the State of New York, that the said treaty for the reasons aforesaid ought to be terminated at the earliest possible time, and be no longer in force, now, therefore, be it

Resolved (if the Senate concur), That the Representatives in the Congress of the United States of America from the State of New York are hereby resepectfully requested to vote in favor of the joint resolution providing for the termination of the treaty between the United States of America and Russia concluded at St. Petersburg, December 18, 1832, introduced in the House of Representatives, by Congressman Herbert Parsons on the 10th day of February, 1911, and be it further

Resolved, That a copy of this resolution be sent to each of the Representatives in Congress from the State of New York.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. Brooks offered for the consideration of the House a resolution, in the words following:

Whereas, The election of a President of the United States every four years tends to unsettle the economic and commercial conditions of the country for a year preceding and succeeding such election, and,

Whereas, The Presidents of the United States with few exceptions have been renominated, necessitating the devotion of much of their time to political campaigning for re-election, be it therefore

Resolved (if the Senate concur), That the Legislature of the State of New York respectively requests the Congress of the United States to submit to the Legislatures of the several States for ratification a proposed amendment to the Federal Constitution extending the term of the President of the United States to the period of six years, and further amending the Constitution so that no President can serve more than one term, and be it further

Resolved (if the Senate concur), That the Speaker of the Assembly and the Lieutenant-Governor transmit to the Speaker of the House of Representatives and to the Vice-President copies of this resolution.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. Coffey offered for the consideration of the House a resolution, in the words following:

Whereas, Uniformity of charters for cities of the third class will insure to such cities the largest opportunity for home rule and local government, and

Whereas, There is a widespread demand for such legislation, now, therefore, be it

Resolved (if the Senate concur), That on or before the first day of June, nineteen hundred and eleven, the President pro tempore of the Senate shall appoint two Senators, the Speaker of the Assembly shall appoint three Members of the Assembly, and the Governor shall appoint two persons as commissioners to study the subject of city government of the third class cities of the State, who shall visit any or all of the cities, as seems advisable, in their judgment, and they may visit cities outside of the State. Said commissioners shall prepare and submit a report to the Legislature on or before the first day of February, nineteen hundred and twelve. It shall be proper for them in such report to make recommendations regarding any or all phases of the government of third class cities, and to

draft any legislation that in their opinion will promote the welfare of third class cities, and submit such bills with their report.

The members of such commission shall receive no compensation for their services, except that each shall be entitled to his actual and necessary expenses incurred in the performance of his duties under the provisions of this act, to be paid by the Treasurer on the audit and warrant of the Comptroller.

Such commission is hereby authorized and empowered to employ experts, stenographers, clerks and such other employees as may be necessary for the purpose of their study and report.

The sum of six thousand dollars ($6,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys of the treasury not otherwise appropriated, to be paid by the State Treasurer on the audit and warrant of the Comptroller to carry out the purpose of this act.

which was referred to the committee on ways and means.

Mr. Ward offered for the consideration of the House a resolution, in the words following:

Whereas, It has been currently reported that a municipal court judgeship was offered to Harold J. Friedman, a member of this Legislature, as an inducement to him to change his vote for United States Senator for the State of New York; and

Whereas, Mr. Friedman is reported to have said that inducements were offered to him to induce him to change his vote for United States Senator of the State of New York; and

Whereas, By section 1327 of article 124 of the Penal Law, a person who gives or offers to give or causes to be given or offers a bribe or any money, property of value of any kind, or any promise or agreement therefor to a member of the Legislature, or attempts directly or indirectly by menace, deceit, suppression of truth or other corrupt means to influence a member to give or withhold his vote, or to absent himself from the house of which he is a member or from any committee thereof, is punishable by imprisonment for not more than ten years or by a fine of not more than five thousand dollars or both; now, therefore, be it

Resolved (if the Senate concur), That a commission of five members be appointed, three to be appointed by the Speaker of the Assembly, and two by the Lieutenant-Governor of the Senate, to investigate all reports or statements of inducements offered to members of this Legislature for their votes for United States Senator for the State of New York; and report said investigation on or before the fifteenth day of April, nineteen hundred and eleven; be it further

Resolved, That the sum of five thousand dollars be appropriated out of any moneys in the treasury, to be paid by the State Treasurer upon the warrant of the chairman of such committee, to defray the expenses of this investigation.

which was referred to the committee on ways and means.

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Whereas, The Charity Organization Society of the city of New York received a charter from the Legislature of the State of New York in the year 1882 for the purpose of collecting and distributing charity to the needy in the city of New York, and

Whereas, The Charity Organization Society of the city of New York has a permanent investment of funds contributed in the sum of $283,544.77, and

Whereas, It has permanent funds invested in the School of Philanthropy of $735,000, and said society distributed the sum of $329,418 during the year of 1910 for the relief of the poor and needy and paid salaries to officials for distribution the sum of $131,999 more than was paid out in charity.

Resolved (if the Senate concur), That a committee of three Senators, appointed by the President of the Senate, and five Assemblymen, appointed by the Speaker of the Assembly, immediately on the passage of this resolution, to investigate the Charity Organization Society, through its officials, are not misusing the funds so contributed by the citizens of the city of New York, and to ascertain the advisability of repealing the charter of the Charity Organization Society of the city of New York and placing the same under the control of the charity department of the city of New York; and the sum of $5,000 is hereby appropriated out of the treasury of the State of New York for the purpose of employing counsel, stenographers and messengers for said committee.

which was referred to the committee on ways and means.

Mr. Hoey offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly five hundred additional copies each of Assembly bills No. 421 (Int. No. 416), No. 422 (Int. No. 417), No. 423 (Int. No. 418), No. 424 (Int. No. 419), No. 425 (Int. No. 420), No. 426 (Int. No. 421), amending the Insurance Law.

which was referred to the committee on public printing.

Mr. Hoey offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly five hundred additional copies each of Assembly bills No. 400 (Int. No. 391), No. 401 (Int. No. 392), No. 402 (Int. No. 393), No. 403 (Int. No. 394), No. 404 (Int. No. 395), No. 405 (Int. No. 396), No. 407 (Int. No. 397), No. 408 (Int. No. 399), No. 409 (Int. No. 400), amending the Insurance Law.

which was referred to the committee on public printing.

Please take notice I shall move for passage the concurrent resolution to petition the Congress to abrogate the treaty between Russia and the United States on February 27, 1911.

LOUIS CUVILLIER.

Please take notice that I shall call up for consideration my resolution introduced Monday, February 20, 1911, in relation to the recognition of American passports by foreign countries, on Monday, February 27, 1911.

HAROLD SPIELBERG.

Mr. Shlivek gives notice that he will call up for consideration his resolution introduced by him February 20, 1911, on Monday, February 27, 1911.

Mr. Brooks gives the following notice, pursuant to the rule of the Assembly, that on the 27th day of February, 1911, he will call up for debate and move adoption of a resolution offered by him on the 20th day of February, 1911, pertaining to the term of the President of the United States.

Notice is hereby given that Mr. Walker will call up his resolution on magazines postal rates offered February 20th, on Monday next, February 27th.

On motion of Mr. A. E. Smith, the House adjourned until Tuesday, February 21st, at 12 o'clock noon.

TUESDAY, FEBRUARY 21, 1911.

The House met pursuant to adjournment.

Mr. A. E. Smith in the chair.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. Hackett, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Hackett moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Day	Hammond	McElligott	Smith A E
Ahern	DeLano	Hearn	McGrath	Smith T K
Allen	Donnelly	Herrick J J	McKeon	Spielberg
Beach	Drummond	Herrick W R	Miller	Stivers
Blauvelt	Ebbetts	Heyman	Monczynski	Sullivan
Boylan	Egan	Higgins	Mork	Sweet
Brace	Evans	Hinman	Murray	Talmage
Brennan	Farrell	Hoey	Myers	Terry
Brereton	Fay	Hoff	Nepuert	Thorn
Bridenbecker	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Turley
Brown	Friedman	Huber	Oliver	Walker
Bryant	Fry	Jackson	Pappert	Ward
Bush	Geatons	Jameson	Parker A	Waring
Butler	Gerhardt	Jones	Parker J S	Warren
Carew	Gillen	Kennedy	Phillips C W	Waters F A
Caughlan	Goldberg	Keys	Phillips J S	Waters R B
Chanler	Goldstein	Lansing	Pierce	Weil
Cheney	Goodman	LaReau	Saunders	Wende
Coffey	Goodwin	Levy A J	Schifferdecker	Wheeler
Collin	Gould	Levy J	Seeley	White
Colné	Graubard	Macdonald	Shannon	Wilson
Connell	Gray	MacGregor	Shea	Winters
Constantine	Gregg	Manley	Sheide	Yale
Cosad	Gurnett	Martin	Shepardson	Yeomans
Cross	Hackett	McCue	Shlivek	Young
Cuvillier	Hart	McDaniels	Shortt	Zorn
Dawson				

Mr. Hackett moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented the Sixteenth Annual Report of the State Commission of Prisons, which was laid upon the table and ordered printed.

(See Senate Document No. 44.)

Mr. Patrie, from the committee on public education, to which was referred Assembly bill introduced by Mr. Wende (No. 458, Int. No. 449), entitled "An act to legalize certain acts and proceedings of union free school district number six of the town of West Seneca, in the county of Erie, its voters, board of trustees, officers and agent, in relation to a certain tax voted and raised therein in the year nineteen hundred and ten, and authorizing the distribution of moneys so raised."

Also, Assembly bill introduced by Mr. Patrie (No. 428, Int. No. 423), entitled 'An act to repeal chapter four hundred and forty-four of the Laws of nineteen hundred and ten, entitled 'An act to establish a public school teachers' retirement fund in Greene county,' and to provide for the distribution of moneys heretofore paid into said fund," report in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Patrie, from the committee on public education, to which was referred Assembly bill (No. 197, Int. No. 196) introduced by Mr. Young, entitled "An act to amend chapter four hundred and thirty-one of the Laws of nineteen hundred and nine, entitled 'An act to establish a public school teachers' retirement fund in Westchester county,' in relation to the sources of said fund, payments into and from the same, persons entitled to annuities and other moneys payable therefrom and the amount of any such annuity," reported in favor of the passage of the same, with the following amendments:

On page 4, line 3, strike out bracket.
On page 4, line 10, strike out bracket.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. MacGregor (No. 300, Int. No. 301), entitled "An act to amend the Tax Law, in relation to organization tax."

Also, the bill introduced by Mr. Bush (No. 527, Int. No. 512), entitled "An act to amend the Public Health Law, in relation to burial and burial permits," reported the same without recom-

mendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Shepardson (No. 135, Int. No. 134), entitled "An act to amend the Agricultural Law, in relation to the definition of the terms 'butter' and 'cheese,'" reported the same with the following recommendations:

On page 1, line 2, insert comma after word "entitled".
On page 1, line 7, insert comma after bracket following the word "cheese".
On line 8, page 1, insert comma after word "article".
On page 1, line 9, insert comma after the word "term".
On page 2, line 15, strike out "not" following "shall".
Also in line 15, in place of the article "a" insert "any article or".
On page 2, line 19, strike out comma after the word "fat".
On page 2, line 22, insert comma after the word "term".
Also in line 22, insert comma after the word "used".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. C. W. Phillips (No. 151, Int. No. 150), entitled "An act to amend the Indian Law, in relation to prosecution of actions and proceedings by the Seneca Nation of Indians," reported the same with the following recommendations:

On page 1, line 5, take out comma after word "actions".
On page 3, line 17, insert comma after word "State".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Goodman (No. 572, Int. No. 224), entitled "An act to amend the Code of Civil Procedure, in relation to examinations in proceedings supplemental to execution," reported the same with the following recommendations:

On page 1, line 4, change "what" to "when".
On page 1, line 6, strike out "county" after the word "special".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

The bill (No. 32, Int. No. 32) entitled "An act to amend the Village Law, in relation to election on proposition to incorporate," having been announced for a third reading,

Debate was had thereon.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 78
NOES 52

Those who voted in the affirmative were:

Beach	Evans	Herrick W R	McElligott	Shortt
Blauvelt	Farrell	Heyman	McGrath	Smith A E
Boylan	Fay	Hoey	McKeon	Spielberg
Brace	Filley	Hoyt	Miller	Stivers
Brennan	Fitzpatrick	Huber	Monczynski	Talmage
Bridenbecker	Foley	Jackson	Mork	Terry
Carew	Friedman	Jameson	Myers	Trombly
Caughlan	Fry	Kennedy	Neupert	Warren
Chanler	Gillen	Lansing	Nolan	Waters R B
Collin	Goldberg	LaReau	O'Connor	Weil
Cosad	Goldstein	Levy A J	Patrie	Wende
Cuvillier	Graubard	Levy J	Saunders	Wheeler
Dawson	Gregg	Manley	Schifferdecker	White
Day	Gurnett	Martin	Seeley	Winters
Drummond	Hackett	McCue	Sheide	Young
Egan	Hearn	McDaniels		

Those who voted in the negative were:

Adler	Colné	Herrick J J	Oliver	Shlivek
Ahern	Connell	Higgins	Pappert	Sullivan
Allen	Constantine	Hinman	Parker A	Sweet
Baumes	DeLano	Hoff	Parker J S	Thorn
Brereton	Ebbetts	Hollmann	Phillips C W	Waid
Brooks	Geatons	Jones	Phillips J S	Waring
Brown	Goodman	Keys	Pierce	Waters F A
Bryant	Goodwin	Macdonald	Shannon	Wilson
Bush	Haines	MacGregor	Shea	Yale
Butler	Hart	Murray	Shepardson	Yeomans
Cheney	Hammond			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 297, Int. No. 296) entitled "An act to amend chapter six hundred and eighty-three of the Laws of nineteen hun-

dred and five, entitled 'An act to supplement the provisions of law relating to the police pension fund and firemen's pension fund of the city of Syracuse,'" having been announced for a third reading,

On motion of Mr. Hammond, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 44. Int. No. 44) entitled "An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds in the sum of two million dollars for the purpose of acquiring additional park lands and lands along the water front and improving the same,' authorizing the use of a part of the proceeds of the sale or sales of said bonds for improvement on park lands heretofore acquired by said city," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McElligott	Smith A E
Ahern	DeLano	Hammond	McGrath	Smith T K
Allen	Donnelly	Hearn	McKeon	Spielberg
Beach	Drummond	Herrick J J	Miller	Stivers
Blauvelt	Ebbetts	Herrick W R	Monczynski	Sullivan
Boylan	Egan	Heyman	Mork	Sweet
Brace	Evans	Higgins	Murray	Talmage
Brennan	Farrell	Hinman	Myers	Terry
Brereton	Fay	Hoey	Neupert	Thorn
Bridenbecker	Filley	Hoff	Nolan	Trombly
Brooks	Fitzpatrick	Hollmann	O'Connor	Turley
Brown	Foley	Hoyt	Oliver	Walker
Bryant	Friedman	Huber	Pappert	Ward
Bush	Fry	Jackson	Parker A	Waring
Butler	Geatons	Jameson	Parker J S	Warren
Carew	Gerhardt	Jones	Patrie	Waters F A
Caughlan	Gillen	Kennedy	Phillips C W	Waters R B
Chanler	Goldberg	Keys	Phillips J S	Weil
Cheney	Goldstein	Lansing	Pierce	Wende
Coffey	Goodman	LaReau	Saunders	Wheeler
Collin	Goodwin	Levy A J	Schifferdecker	White
Colne	Gould	Levy J	Seeley	Wilson
Connell	Graubard	Macdonald	Shannon	Winters

Constantine	Gray	MacGregor	Shea	Yale
Cosad	Gregg	Manley	Sheide	Yeomans
Cross	Gurnett	Martin	Shepardson	Young
Cuvillier	Hackett	McCue	Shlivek	Zorn
Dawson	Haines	McDaniels	Shortt	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 279, Int. No. 277) entitled "An act to amend the Agricultural Law, in relation to cider vinegar," having been announced for a third reading,

On motion of Mr. Miller, said bill was recommitted to the committee on agriculture, retaining its place on the order of third reading.

Mr. Winters offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 134, Int. No. 133), entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Foley offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the joint rules of the Senate and Assembly of the session of nineteen hundred and ten be and the same hereby are adopted as the joint rules of Senate and Assembly for the session of nineteen hundred and eleven.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the

election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Fiero	Harden	McManus	Sanner	
Black	Frawley	Harte	O'Brien	Stilwell	
Cronin	Gittins	Long	Pollock	Sullivan T D	
Cullen	Griffin	McClelland	Ramsperger	Wagner	
Ferris					21

FOR CHAUNCEY M. DEPEW.

Allen	Cobb	Hinman	Rose	Travis	
Argetsinger	Emerson	Newcomb	Sage	Wainwright	
Bussey	Griffith	Ormrod	Thomas	Walters	
Coats	Heacock	Platt			18

FOR MARTIN W. LITTLETON.

Burd 1

FOR JOHN D. KERNAN.

Roosevelt 1

FOR M. J. O'BRIEN.

Loomis Saxe 2

FOR WILLIAM SULZER.

White 1

FOR J. J. HOPPER.

Duhamel 1

When the roll was called the following pairs were announced.

Mr. Grady with Mr. Brackett; Mr. Murtaugh with Mr. Hewitt; Mr. Sullivan, C. D., with Mr. Hamilton.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Hackett	Manley	Schifferdecker	
Boylan	Fitzpatrick	Hearn	McCue	Seeley	
Brennan	Foley	Herrick J J	McElligott	Sheide	
Bush	Geaton	Herrick W R	McGrath	Smith A E	
Carew	Gerhardt	Heyman	McKeon	Spielberg	
Caughlan	Gillen	Hoey	Monczynski	Turley	
Collin	Goldberg	Jackson	Mork	Walker	
Cuvillier	Goldstein	Jameson	Neupert	Warren	
Dawson	Gould	LaReau	Oliver	Weil	
Donnelly	Graubard	Levy A J	Parker A	Wende	
Egan	Gregg	Levy J	Patrie	Zorn	
Farrell	Gurnett				57

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hinman	Phillips J S	Thorn	
Ahern	Cross	Hoff	Pierce	Ward	
Allen	DeLano	Jones	Shannon	Waring	
Brereton	Ebbetts	Keys	Shea	Waters F A	
Brooks	Filley	Lansing	Shepardson	Waters R B	
Brown	Goodman	Macdonald	Shlivek	White	
Bryant	Goodwin	MacGregor	Smith T K	Wilson	
Butler	Gray	Murray	Stivers	Winters	
Cheney	Haines	Nolan	Sullivan	Yale	
Coffey	Hammond	Pappert	Sweet	Yeomans	
Colné	Hart	Parker J S	Talmage	Young	
Connell	Higgins	Phillips C W			58

FOR EDWARD M. SHEPARD.

Chanler	Fry	Huber	Terry	4

FOR ALTON B. PARKER.

McDaniels	1

FOR MARTIN W. LITTLETON.

Hollmann	Hoyt	2

FOR MARTIN H. GLYNN.

Saunders	1

FOR JOHN D. KERNAN.

Beach	Cosad	Evans	Martin	Trombly	
Brace	Day	Friedman	Miller	Wheeler	
Bridenbecker	Drummond				12

FOR WILLIAM SULZER.

Kennedy	Myers	2

FOR J. J. HOPPER.

O'Connor	1

FOR J. H. DOUGHERTY.

Shortt	1

When the roll was called the following pairs were announced:

Mr. Frisbie with Mr. Merritt; Mr. Gerken with Mr. Kopp; Mr. M. A. O'Neill with Mr. Lent; Mr. Donovan with Mr. Baumes.

Mr. Lincoln of Chautauqua was excused indefinitely on account of illness.

Mr. Washburn of Ulster was excused indefinitely.

Whole number of votes cast..... 184

Necessary to a choice..... 93

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	21	57	78
For Chauncey M. Depew.....	18	58	76
For Edward M. Shepard.....	0	4	4
For Alton B. Parker.....	0	1	1
For Martin W. Littleton.....	1	2	3
For Martin H. Glynn.....	0	1	1
For John W. Kernan.....	1	12	13
For M. J. O'Brien.....	2	0	2
For William Sulzer.....	1	2	3
For J. H. Dougherty.....	0	1	1
For J. J. Hopper.....	1	1	2

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Wednesday, February 22d, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Wednesday, February 22d, at 12 o'clock noon in the Assembly Chamber.

Mr. Cuvillier, by request, introduced a bill entitled "An act relative to the admission to the State bar examinations, Walter McCarthy" (Int. No. 612), which was read the first time and referred to the committee on the judiciary.

Also, by request, "An act to amend the Military Law, in relation to fines and punishments" (Int. No. 613), which was read the first time and referred to the committee on military affairs.

Mr. McCue introduced a bill entitled "An act to amend the Penal Law, in relation to prohibiting advertisements concerning certain diseases" (Int. No. 614), which was read the first time and referred to the committee on codes.

Mr. Manley, by request, introduced a bill entitled "An act to

amend the County Law, in relation to the salary of the surrogate of Oneida county" (Int. No. 615), which was read the first time and referred to the committee on internal affairs.

Also, by request, "An act to amend chapter four hundred and eighteen of the Laws of nineteen hundred and eight, entitled 'An act to regulate the sessions of the board of supervisors in Oneida county and to fix the compensation of the members thereof,' in relation to the meetings of such board" (Int. No. 616), which was read the first time and referred to the committee on internal affairs.

Mr. Hoey introduced a bill entitled "An act to amend the Insurance Law, in relation to the insurance of property damage as a result of breakage of glass" (Int. No. 617), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Labor Law, in relation to the settlement of industrial disputes" (Int. No. 618), which was read the first time and referred to the committee on labor and industries.

Mr. Spielberg introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to absolute divorce" (Int. No. 619), which was read the first time and referred to the committee on codes.

Also, "Concurrent resolution of the Senate and Assembly proposing an amendment to section one of article two of the Constitution, in relation to qualification of voters" (Int. No. 620), which was read the first time and referred to the committee on the judiciary.

Mr. McElligott introduced a bill entitled "An act to amend the Greater New York charter, in relation to compensation of day laborers in the service of said city" (Int. No. 621), which was read the first time and referred to the committee on affairs of cities.

Mr. A. E. Smith introduced a bill entitled "An act making an appropriation to provide for exhibitions and demonstrations as to agricultural resources and opportunities in New York State" (Int. No. 622), which was read the first time and referred to the committee on ways and means.

Also, "An act making an appropriation for the payment of indemnities for animals destroyed under the provisions of the Agricultural Law" (Int. No. 623), which was read the first time and referred to the committee on ways and means.

Mr. Young introduced a bill entitled "An act in relation to the boundaries of the village of Briarcliff Manor" (Int. No. 624), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and six, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village,' relative to village boundaries" (Int. No. 625), which was read the first time and referred to the committee on affairs of villages.

Mr. Kennedy introduced a bill entitled "An act to amend the Stock Corporation Law, in relation to filing names and addresses of officers and directors" (Int. No. 626), which was read the first time and referred to the committee on the judiciary.

Mr. Weil introduced a bill entitled "An act to amend the Greater New York charter, in relation to establishing temporary shelters on the water front for sleeping accommodation of women and children during the summer months" (Int. No. 627), which was read the first time and referred to the committee on affairs of cities.

Mr. Turley introduced a bill entitled "An act to amend the Transportation Corporations Law, in relation to telephone charges in cities of over one million" (Int. No. 628), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Colne introduced a bill entitled "An act to amend chapter five hundred and nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to provide for the establishment of a botanic garden and arboretum on park lands in the city of Brooklyn and for the care of the same,' generally" (Int. No. 629), which was read the first time and referred to the committee on affairs of cities.

Mr. Shea introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to hunting with dogs" (Int.

No. 630), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. A. Parker introduced a bill entitled "An act to amend the Banking Law, in relation to the lien of safe deposit companies on packages left in vaults" (Int. No. 631), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Banking Law, in relation to safe deposit companies" (Int. No. 632), which was read the first time and referred to the committee on banks.

Mr. Geatons introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the establishment of a station for marine fish culture, and making an appropriation therefor" (Int. No. 633), which was read the first time and referred to the committee on ways and means.

Mr. Wende introduced a bill entitled "An act to amend the Prison Law, in relation to paroles of prisoners" (Int. No. 634), which was read the first time and referred to the committee on penal institutions.

Mr. McGrath introduced a bill entitled "An act authorizing the board of estimate and apportionment of the city of New York to hear, determine and audit, and the comptroller to pay, the claim of Edward F. Croker" (Int. No. 635), which was read the first time and referred to the committee on affairs of cities.

Mr. Foley introduced a bill entitled "An act to amend chapter one hundred and forty-nine of the Laws of nineteen hundred and eight, entitled 'An act to provide for the celebration of the Tercentenary of the discovery of Lake Champlain, the appointment of a commission, prescribing its powers and duties and making an appropriation therefor,' as amended by chapter forty-four of the Laws of nineteen hundred and ten, relative to the powers and duties of said commission and extending the time for making its report to the Legislature and reappropriating the unexpended balance of the appropriation made by chapter four hundred and thirty-three of the Laws of nineteen hundred and nine" (Int. No. 636), which was read the first time and referred to the committee on ways and means.

Mr. Sweet introduced a bill entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred

and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of certain sewers and a sewage disposal plant therefor and to the issue of bonds therefor" (Int. No. 637), which was read the first time and referred to the committee on affairs of cities.

Also, by request, "An act to amend the General Construction Law, in relation to declaring the intent of the Legislature in respect to certain laws of the State" (Int. No. 638), which was read the first time and referred to the committee on the judiciary.

Mr. Winters introduced a bill entitled "An act to amend the Village Law, in relation to the compensation of certain village officers" (Int. No. 639), which was read the first time and referred to the committee on affairs of villages.

Mr. O'Connor introduced a bill entitled "An act to amend the Election Law, in relation to primary elections" (Int. No. 640), which was read the first time and referred to the committee on the judiciary.

Mr. Chanler introduced a bill entitled "An act to amend the General Corporation Law, in relation to the amount of property nonstock corporations may take or hold" (Int. No. 641), which was read the first time and referred to the committee on the judiciary.

Mr. Hackett introduced a bill entitled "An act to amend the Greater New York charter, in relation to the uniformed force of the fire department" (Int. No. 642), which was read the first time and referred to the committee on affairs of cities.

Mr. Patrie introduced a bill entitled "An act to amend the Code of Civil Procedure, by adding after section thirteen hundred and ninety-one thereof a new section, to wit, thirteen hundred and ninety-one-a, relating to the garnishment of legacies and distributive shares of decedents' estates in surrogates' courts" (Int. No. 643), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Graubard offered for the consideration of the House a resolution, in the words following:

Whereas, Immigration has been a great factor in populating this country, in developing its resources, and in building up its manufacturing, and industrial interests, and has largely contributed to the greatness and prosperity of the republic; and

Whereas, Immigrant labor is still greatly needed in the agricultural and industrial development of the south and west, in fact, of all parts of this great land, furnishing hands to the manufacturing plants of the east, as well as domestics for the country at large; and

Whereas, Several bills have been introduced in Congress providing for new restrictive measures against immigrants, with the view of checking immigration or suspending it entirely; and

Whereas, Existing laws are sufficient to bar out undesirable immigrants, such as criminals, anarchists, immoral and diseased persons; be it, therefore,

Resolved (if the Senate concur), That the Congress of the United States be requested to oppose any new additional restrictions; and be it further

Resolved (if the Senate concur), That a copy of these resolutions be sent by the Clerk of the Assembly to the President of the United States, the Vice-President of the United States, the Speaker of the House of Representatives and to each Senator and Representative in the Congress of the United States from this State.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *February* 21, 1911.

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 70, Rec. No. 6), entitled "An act to amend chapter one hundred and three of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Ulster county a salaried office and regulating the management of said office,' in relation to the number of salaries of the clerks thereof," for the purpose of amendment.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, *February* 20, 1911.

Whereas, The committee on rivers and harbors of the House of Representatives of the Congress of the United States, in compliance with the request contained in the joint resolution adopted by the Senate and Assembly of the State of New York on the fourth day of January, nineteen hundred and eleven, has deferred final action on the proposed bill before it, known as the Alexander electric power bill (H. R. No. 26688) pending an examination into its provisions by the authorities of the State of New York; and

Whereas, A communication has this day been received from his excellency, the Governor of the State of New York, wherein and whereby certain suggestions are made for effectively safeguarding and protecting the interests of the State of New York in the diversion of water from Niagara river, which suggestions should be embodied in the form of amendments to said bill;

Resolved (if the Assembly concur), That the legislators respectfully request the Senators and Representatives in Congress from this State to use their best endeavors, at the present session to effect the amendment of said bill, as follows:

(1) So that the limitation upon the granting of permits to individuals, companies or corporations "which are now actually producing power" from the waters of said river or its tributaries shall be eliminated;

(2) So that any permits hereafter granted for the diversion of water from said river or its tributaries, in addition to those heretofore issued, shall be granted and issued by the Secretary of War, having in mind especially such individuals, companies, or corporations as shall be able to satisfy him of ability to develop the maximum quantity of electrical power from such limited additional diversion of water; and that such permits shall be issued for such limited periods of time and upon such compensation to the State of New York as shall be reasonable and just.

(3) So that the limitation, contained in the act, entitled "An act for the control and regulation of the waters of Niagara river, for the preservation of Niagara Falls, and for other purposes," approved June twenty-ninth, nineteen hundred and six, and thereafter extended by joint resolution by the Congress of the United States, whereby not to exceed eight thousand six hundred cubic feet of water per second was permitted to be granted to any one individual or corporation, shall be restored in said bill and continued in effect thereunder;

(4) So that no privilege arising under any permit heretofore or hereafter granted shall be transferable without the approval of the Secretary of War, and no such approval shall be given until consent thereto by the State of New York shall first have been obtained;

(5) So that no electric current, produced from hydraulic power, used under any permit granted under said bill shall be transmitted to any point without the State of New York except with the consent of said State; and

(6) So that the granting of permits shall not be deemed to be required to cover the use of the surplus waters of the Erie canal for hydraulic power purposes but the disposition of such surplus waters shall be and remain under the sole jurisdiction of the State of New York for its own benefit.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 134, Int. No. 133), entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the bill (No. 15, Int. No. 15), entitled "An act authorizing the common council and mayor of the city of Buffalo to convey by quitclaim deeds to abutting owners a strip of land lying between the present lines of Woodlawn avenue and private property adjacent thereto," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

Also, the bill (No. 26, Int. No. 26), entitled "An act to legalize the proceedings of the city of Gloversville, leading up to and including its issuance and sale of bonds of said city in the amount of seventy-five thousand dollars for completing the erection of a high school building therein, and validate the bonds already issued and sold therefor, and to provide for the payment of the principal and interest of such bonds," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Gloversville.

The Senate returned the bill (No. 70, Int. No. 71), entitled "An act to legalize the issue of bonds of the town of Chateaugay in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of completing the erection of a town house in said town, and to provide for the payment of the principal and interest thereof."

Also, the bill (No. 73, Int. No. 74), entitled "An act to legalize, ratify and confirm the proceedings of the village of Cherry Creek in the county of Chautauqua, in the matter of raising the sum of thirty thousand dollars for the construction of a pressure water system for said village; to legalize, ratify and confirm the sale and issuance of the bonds of said village in the amount of twenty-five thousand dollars of said sum; to authorize the sale and issuance of the bonds of said village for the balance thereof; and to provide for the payment of the interest and principal of said bonds."

Also, the bill (No. 283, Int. No. 281), entitled "An act to ratify, confirm and legalize the proceedings of the town of Irondequoit in the county of Monroe, had and taken in the matter of the establishment of a water district in said town; the sale, award and issuance of the bonds of said town to pay for the cost of constructing a water system in said water district, and to provide for the payment of said bonds," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Foley, the House adjourned until Wednesday, February 22d, at 11:30 o'clock A. M.

WEDNESDAY, FEBRUARY 22, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	DeLano	Hearn	Monczynski	Smith T K
Ahern	Donnelly	Herrick J J	Mork	Spielberg
Allen	Drummond	Herrick W R	Murray	Stivers
Beach	Ebbetts	Heyman	Myers	Sullivan
Blauvelt	Egan	Higgins	Neupert	Sweet
Boylan	Evans	Hinman	Nolan	Talmage
Brace	Farrell	Hoff	O'Connor	Terry
Brennan	Fay	Hollmann	Oliver	Thorn
Berreton	Filley	Hoyt	O'Neill J J	Trombly
Bridenbecker	Fitzpatrick	Huber	O'Neil M A	Turley
Brooks	Foley	Jackson	Pappert	Walker
Brown	Friedman	Jameson	Parker A	Ward
Bryant	Fry	Jones	Parker J S	Waring
Bush	Gerhardt	Kennedy	Patrie	Warren
Carew	Gillen	Keys	Phillips C W	Waters F A
Caughlan	Goldberg	Lansing	Phillips J S	Waters R B
Chanler	Goldstein	LaReau	Pierce	Weil
Cheney	Goodman	Levy A J	Saunders	Wende
Coffey	Goodwin	Levy J	Schifferdecker	Wheeler
Collin	Gould	Macdonald	Seeley	White
Colné	Graubard	MacGregor	Shannon	Wilson
Connell	Gray	Manley	Shea	Winters
Constantine	Gregg	McCue	Sheide	Yale
Cosad	Gurnett	McDaniels	Shepardson	Yeomans
Cross	Hackett	McElligott	Shlivek	Young
Cuvillier	Haines	McKeon	Shortt	Zorn
Dawson	Hart	Miller	Smith A E	Speaker
Day	Hammond			

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to enlistments and re-enlistments" (Int. No. 644), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Military Law, in relation to the militia council" (Int. No. 645), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Military Law, in relation to allowances and devises and bequests to cavalry organizations" (Int. No. 646), which was read the first time and referred to the committee on military affairs.

Mr. Farrell introduced a bill entitled "An act to provide for reimbursing liquor dealers in the borough of Brooklyn in the city of New York for excessive taxes paid upon obtaining liquor tax certificates for the year beginning October first, nineteen hundred and ten" (Int. No. 647), which was read the first time and referred to the committee on excise.

Also, "An act to amend the Greater New York charter, in relation to the assessment of improved real estate for purposes of taxation in the city of New York" (Int. No. 648), which was read the first time and referred to the committee on affairs of cities.

Mr. Fitzpatrick introduced a bill entitled "An act to amend chapter one hundred and twenty-five of the Laws of nineteen hundred and six, entitled 'An act in relation to illuminating gas in the city of New York, and regulating the quality and pressure thereof and the price to consumers other than said city and providing a penalty for violation,' in relation to price to be charged in certain wards in the borough of Queens" (Int. No. 649), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Goldberg introduced a bill entitled "An act to amend the Penal Law, in relation to unlawful disclosures by jurors" (Int. No. 650), which was read the first time and referred to the committee on codes.

Mr. Hoey introduced a bill entitled "An act to amend the Greater New York charter, relating to the uniformed force of the fire department" (Int. No. 651), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Highway Law, in relation to renewals of chauffeurs' licenses" (Int. No. 652), which was read the first time and referred to the committee on internal affairs.

Mr. McGrath introduced a bill entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York' in relation to Hell Gate pilots" (Int. No. 653), which was read the first time and referred to the committee on affairs of cities.

Mr. J. S. Parker introduced a bill entitled "An act empowering and directing the Superintendent of Public Works to remove the obstruction, gravel, sand, et cetera, from the bed of Wood creek from its source in the town of Argyle to where it empties into the barge canal north of Dunham's Basin in the town of Kingsbury, Washington county, New York" (Int. No. 654), which was read the first time and referred to the committee on ways and means.

Mr. Shea introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to hounding deer in certain counties" (Int. No. 655), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Shlivek introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to form of summons and the return day thereon" (Int. No. 656), which was read the first time and referred to the committee on codes.

Mr. Wende introduced a bill entitled "An act to legalize, ratify and confirm the proceedings of the inhabitants of school district number six of the town of West Seneca, in the county of Erie, its board of trustees, officers and agents, in the matter of the issuance and sale of the bonds of said district in the sum of eleven thousand and fifty dollars, for the purpose of paying the purchase price of an addition to the site of the high school, to legalize such bonds, and to provide for the payment of the principal and interest of the same" (Int. No. 657), which was read the first time and referred to the committee on public education.

Also, "An act to amend the Forest, Fish and Game Law, in relation to lake trout and whitefish" (Int. No. 658), which was

read the first time and referred to the committee on forestry, fisheries and game.

Mr. Wilson introduced a bill entitled "An act to grant to the city of Geneva all the interest of the people of the State of New York in certain lands formerly under the waters of Seneca lake, but which have been partially filled in" (Int. No. 659), which was read the first time and referred to the committee on ways and means.

Mr. Manley introduced a bill entitled "An act to provide for the extension of Hickory street, in the city of Utica, across the State hospital grounds, in such city" (Int. No. 660), which was read the first time and referred to the committee on ways and means.

Mr. Hoey introduced a bill entitled "An act to amend the Greater New York charter, in relation to service of employees and compensation therefor" (Int. No. 661), which was read the first time and referred to the committee on affairs of cities.

Mr. MacGregor introduced a bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding a certain temporary non-negotiable certificate of indebtedness heretofore issued to secure the purchase price of property to be used for street and park purposes in said city" (Int. No. 662), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding temporary loan bonds heretofore issued to raise money for the purchase of property to be used as a site for a technical high school in said city, and temporary non-negotiable certificates of indebtedness issued to secure a part of the purchase price of said technical high school site" (Int. No. 663), which was read the first time and referred to the committee on affairs of cities.

Mr. Wende introduced a bill entitled "An act to authorize the city of Buffalo to issue bonds bearing interest at a rate not to exceed four and one-half per centum per annum, in cases where the issues of bonds at a limited rate of interest is now authorized by law" (Int. No. 664), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter eighty-four of the Laws of nineteen hundred and nine, entitled 'An act authorizing the city of Buffalo to issue its bonds for the construction and equipment of new school buildings, so as to authorize the use of the proceeds of said bonds for the purchase of lands and increase the limit on the rate of interest on such bonds" (Int. No. 665), which was read the first time and referred to the committee on affairs of cities.

Mr. Dawson introduced a bill entitled "An act to legalize, ratify and confirm the acts and proceedings of the comptroller and other officers and boards of the city of Buffalo, creating, investing and reinvesting certain railroad grade crossing bond sinking funds, and to provide for the payment of grade crossing bonds" (Int. No. 666), which was read the first time and referred to the committee on affairs of cities.

Mr. McElligott introduced a bill entitled "An act to amend the Greater New York charter, in relation to exemptions of schools and churches in New York city from assessments for local improvements and cancellations of liens thereon for such improvements and for taxes, water rents and sales therefor" (Int. No. 667), which was read the first time and referred to the committee on affairs of cities.

Mr. Jackson introduced a bill entitled "An act to amend the Election Law, in relation to creating a board of elections in Erie county and defining its powers and duties" (Int. No. 668), which was read the first time and referred to the committee on the judiciary.

Mr. Bridenbecker introduced a bill entitled "An act to provide for certain improvements in the channel and banks of the Mohawk river and West Canada creek, made necessary by the building of the barge canal, and making an appropriation therefor" (Int. No. 669), which was read the first time and referred to the committee on ways and means.

Mr. Hearn introduced a bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to purchase lots, and to erect, construct, complete, enlarge and equip buildings for the use of the police and fire departments of said city" (Int. No. 670), which was read the first time and referred to the committee on affairs of cities.

Mr. Foley introduced a bill entitled "An act to amend the Personal Property Law, relative to bills of lading" (Int. No. 671), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Code of Civil Procedure, relating to matrimonial actions" (Int. No. 672), which was read the first time and referred to the committee on codes.

Mr. Jameson introduced a bill entitled "An act to amend chapter one hundred and twenty-five of the Laws of nineteen hundred and six, entitled 'An act in relation to illuminating gas in the city of New York, and regulating the quality and pressure thereof and the price to consumers other than said city and providing a penalty for violation,' in relation to price to be charged in certain wards in the borough of Brooklyn" (Int. No. 673), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Jackson introduced a bill entitled "An act to legalize, ratify and confirm bonds of the city of Buffalo heretofore authorized and issued" (Int. No. 674), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to authorize the city of Buffalo to issue its bonds for the purpose of placing under ground the electrical wires of the police and fire departments of said city" (Int. No. 675), which was read the first time and referred to the committee on affairs of cities.

Mr. Hoey introduced a bill entitled "An act to amend the Greater New York charter, in relation to the establishment of a bureau of public safety in the police department" (Int. No. 676), which was read the first time and referred to the committee on affairs of cities.

Mr. Mork introduced a bill entitled "An act to amend the Greater New York charter, in relation to local improvements, giving the local boards power to cause the curbing and recurbing of sidewalks, the construction of gutters, receiving basins and inlets within their respective districts in the city of New York, when the expenses to be incurred do not exceed the sum of two thousand dollars" (Int. No. 677), which was read the first time and referred to the comittee on affairs of cities.

Mr. Hackett introduced a bill entitled "An act to amend the Greater New York charter, in relation to the uniformed force of the fire department" (Int. No. 678), which was read the first time and referred to the committee on affairs of cities.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Hackett (No. 12, Int. No. 12), entitled "An act to amend the Greater New York charter, relative to the powers and duties of the commissioner of street cleaning."

Also, Assembly bill introduced by Mr. Saunders (No. 68, Int. No. 69), entitled "An act to authorize the city of Hudson to borrow money for street improvements, and to issue the bonds of the city therefor."

Also, Assembly bill introduced by Mr. MacGregor (No. 486, Int. No. 474), entitled "An act to amend the Tonawanda city charter, generally, and to repeal section five of title two of such charter."

Also, Assembly bill introduced by Mr. Hoey (No. 517, Int. No. 502), entitled "An act to amend the Greater New York charter, in regard to stage routes."

Also, Assembly bill introduced by Mr. Hoey (No. 518, Int. No. 503), entitled "An act to amend the Transportation Corporations Law, in relation to stage routes and extensions," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Stivers (No. 576, Int. No. 226), entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' generally," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill (No. 185, Int. No. 184) introduced by Mr. Chanler, entitled "An act to amend section one thousand

and thirty-five of the Greater New York charter," reported in favor of the passage of the same, with the following amendments:

Strike out the title and insert: "An act to amend the Greater New York charter, in relation to notice to be given to the people of the State of New York and to the city of New York on the foreclosure of tax liens."

On page 2 of the bill, strike out the comma after the word "person" in line 10, and insert in place thereof a period.

Strike out the italicized matter lines 11 to 21 and insert the following in italics: "Where the people of the State of New York or the city of New York is made a party defendant the complaint shall set forth, in addition to the other matters required to be set forth by law, detailed facts showing the particular nature of the interest in or the lien on the said real property of the people of the State of New York or the city of New York, and detailed facts showing the particular nature of the interest in or the lien on said real property which plaintiff has reason to believe that the people of the State of New York or the city of New York has or may have in the said real property, and the reason for making the people of the State of New York or the city of New York a party defendant. Upon failure to state such facts the complaint shall be dismissed as to the people of the State or the city of New York."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Coffey (No. 610, Int. No. 136), entitled "An act to provide for a supply of pure and wholesome water for the city of Mount Vernon; and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects," reported in favor of the passage of the same, with the following amendment:

Change section 27 of the proposed act to section 28 (page 21) and insert as section 27 the following: "§ 27. Nothing in this act contained shall authorize the acquirement of any waters, water rights or lands now used for or forming any part of the water supply of the city of New York."

which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Foley (No. 188, Int. No. 187), entitled "An act to amend the Greater New York charter, relative to the number of deputies in the department of docks and ferries," reported the same with the following amendments:

Insert in section 1 of the bill after the words "nineteen hundred and one" the following: "as amended by chapter seven hundred and twenty-four of the Laws of nineteen hundred and one and as amended by chapter six hundred and seventy-nine of the Laws of nineteen hundred and seven,".

Also insert on page 2, line 8, after the words "New York" the following in italics: "Pending action by the said board, the salary of said first deputy shall be four thousand five hundred dollars a year, payable monthly".

and request that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Foley, from the committee on affairs of cities, to which was referred Senate bill (No. 43, Rec. No. 11), introduced by Mr. Ramsperger, entitled "An act to amend chapter one hundred and fifteen of the Laws of nineteen hundred and nine, entitled 'An act authorizing the city of Buffalo to construct, equip and maintain a municipal hospital or hospitals either within or outside the limits of said city, for the exclusive care and treatment of persons affected with incipient tuberculosis, and authorizing said city to acquire lands for such purposes and to borrow money therefor by the issue of bonds,' increasing the aggregate amount which said city may borrow for such purposes," reported in favor of the same, with the following amendments:

In the title after the word "purposes" change period to comma and add the following: "and increasing the maximum rate of interest on such bonds."

Also in line No. 9, after the word "four," add "and one-half."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. A. J. Levy (No.

357, Int. No. 350), entitled "An act to amend the State Charities Law, in relation to estimates."

Also, Assembly bill introduced by Mr. Coffey (No. 298, Int. No. 297), entitled "An act to incorporate 'The Pelham Firemen's Association' of the town of Pelham, New York," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Hoey (No. 148, Int. No. 147), entitled "An act to amend the Public Officers Law, in relation to vacations for persons in the service of the State and of the several civil subdivisions thereof," reported in favor of the passage of the following substitute bill:

(See Appendix No. 5.)

which report was agreed to, and said substitute bill ordered printed, and placed on the order of second reading.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Senate bill introduced by Mr. Fiero (No. 61, Rec. No. 1), entitled "An act authorizing the extension of the term of corporate existence of the Masonic Building Association, and authorizing the trustees and stockholders of the said Masonic Building Association to execute and file and have recorded a certificate or certificates of extension of the time of the corporate existence thereof, and legalizing certain of the acts, transactions and proceedings of said Masonic Building Association, its officers, trustees and stockholders," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 564, Int. No. 547), entitled "An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificates," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Wheeler (No. 364,

Int. No. 357), entitled "An act to make the office of county clerk of the county of Delaware a salaried office, and regulating the management of said office and fixing the salary of said clerk and his assistants."

Also, Assembly bill introduced by Mr. Brown (No. 442, Int. No. 433), entitled "An act to amend chapter forty-two of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of Cortland county a salaried office and to regulate the management of said office,' in relation to certain expenses of the sheriff," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill (No. 184, Int. No. 183) introduced by Mr. Shannon, entitled "An act to amend the County Law, in relation to trusts for maintenance of cemetery lots and appurtenances," reported in favor of the passage of the same, with the following amendment:

Page 2, omitting all the matter in italics on lines 19 to 25, inclusive.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill (No. 466, Int. No. 457) introduced by Mr. Brown, entitled "An act to amend the County Law, in relation to the compensation of supervisors and assessors in attending meetings of the State Board of Tax Commissioners," reported in favor of the passage of the same, with the following amendment:

On page 2, line 1, strike out the word "four" and insert word "three".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Cuvillier, from the committee on military affairs, to which was referred Assembly bill introduced by Mr. Cuvillier (No. 452, Int. No. 443), entitled "An act to amend the Military Law, in relation to miscellaneous provisions."

Also, Assembly bill introduced by Mr. Cuvillier (No. 450, Int.

No. 441), entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties."

Also, Assembly bill introduced by Mr. Cuvillier (No. 447, Int. No. 438), entitled "An act to amend the Military Law, in relation to military courts."

Also, Assembly bill introduced by Mr. Cuvillier (No. 444, Int. No. 435), entitled "An act to amend the Military Law, in relation to the National Guard of the State."

Also, Assembly bill introduced by Mr. Cuvillier (No. 443, Int. No. 434), entitled "An act to amend the Military Law, in relation to the militia of the State."

Also, Assembly bill introduced by Mr. Cuvillier (No. 451, Int. No. 442), entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties," reported in favor of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Cuvillier, from the committee on military affairs, to which was referred Assembly bill (No. 448, Int. No. 439) introduced by Mr. Cuvillier, entitled "An act to amend the Military Law, in relation to armories," reported in favor of the passage of the same, with the following amendments:

On page 11, line 9, place bracket before the word "operated".

On page 11, line 10, place bracket after the word "machinery".

On page 11, line 20, after the word "arsenal" insert the following: "The appointing officer shall grant to each employee a vacation of fourteen days per year with pay," in italics.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Cuvillier, from the committee on military affairs, to which was referred Assembly bill (No. 446, Int. No. 437) introduced by Mr. Cuvillier, entitled "An act to amend the Military Law, in relation to enlisted men of the National Guard and Naval Militia," reported in favor of the passage of the same, with the following amendments:

On page 2, strike out all of lines 22, 23, 24, 25, and 26.

On page 3, strike out all of lines 1, 2, 3, 4, 5, and 6.

On page 3, after the section mark, strike out figure "3" and insert in place thereof the figure "2".

On page 9, in line 17, after the section mark, strike out the figure " 4 " and insert in place thereof the figure " 3 ".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Cuvillier, from the committee on military affairs, to which was referred Assembly bill (No. 445, Int. No. 436) introduced by Mr. Cuvillier, entitled "An act to amend the Military Law, in relation to commissioned officers of the National Guard," reported in favor of the passage of the same, with the following amendments:

On page 6, strike out lines 16 to 26, inclusive.

On page 7, strike out lines 1 to 5, inclusive.

On page 7, strike out " 4 " and insert in place thereof " 3 " in line 6.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Martin, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. Shea (No. 432, Int. No. 427), entitled "An act to ratify, confirm and legalize proceedings of the village of Bloomingdale in the county of Essex in the matter of issuance, sale and award of its bonds in the amount of fifteen thousand dollars for the purpose of supplying said village and its inhabitants with pure and wholesome water, to legalize said bonds and to provide for the payment of the interest and principal thereof," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Martin, from the committee on affairs of villages, to which was referred Assembly bill (No. 243, Int. No. 241) introduced by Mr. Thorn, entitled "An act to ratify and confirm the proceedings of the village of Angola in the county of Erie in the matter of the sale and issuance of its bonds in the amount of fifty-five thousand dollars for the construction of a water works system in and for said village and to legalize said bonds and to provide for the payment of the interest and principal thereof," reported in favor of the passage of the same, with the following amendment:

At line 10, page 2, strike out the word " twenty-nine " and insert the word " thirty-nine ".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Terry, from the committee on claims, to which was referred Assembly bill introduced by Mr. Gregg (No. 42, Int. No. 42), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Leroy Crawford against the State for damages alleged to have been sustained by him by reason of the appropriation of the lands of Mary L. Fisher, in the county of Herkimer, by the forest purchasing board for Adirondack park purposes, and to render judgment therefor," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Graubard, from the committee on public printing, to which was referred the resolution relative to printing 500 additional copies each of Assembly bills No. 421 (Int. No. 416), No. 422 (Int. No. 417), No. 423 (Int. No. 418), No. 424 (Int. No. 419), No. 425 (Int. No. 420), No. 426 (Int. No. 421), amending the Insurance Law, reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the use of the Assembly 500 additional copies each of Assembly bills No. 421 (Int. No. 416), No. 422 (Int. No. 417), No. 423 (Int. No. 418), No. 424 (Int No. 419), No. 425, (Int. No. 420), No. 426 (Int. No. 421), amending the Insurance Law.

which report was agreed to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	Miller	Smith A E
Ahern	Donnelly	Herrick J J	Monczynski	Smith T K
Allen	Drummond	Herrick W R	Mork	Spielberg
Beach	Ebbetts	Heyman	Murray	Stivers
Blauvelt	Egan	Higgins	Myers	Sullivan
Boylan	Evans	Hinman	Neupert	Sweet
Brace	Farrell	Hoff	Nolan	Talmage

Brennan	Fay	Hollmann	O'Connor	Terry
Brereton	Filley	Hoyt	Oliver	Thorn
Bridenbecker	Fitzpatrick	Huber	O'Neill J J	Trombly
Brooks	Foley	Jackson	O'Neil M A	Turley
Brown	Friedman	Jameson	Pappert	Walker
Bryant	Fry	Jones	Parker A	Ward
Bush	Gerhardt	Kennedy	Parker J S	Waring
Carew	Gillen	Keys	Patrie	Warren
Caughlan	Goldberg	Lansing	Phillips C W	Waters F A
Chanler	Goldstein	LaReau	Phillips J S	Waters R B
Cheney	Goodman	Levy A J	Pierce	Weil
Coffey	Goodwin	Levy J	Saunders	Wende
Collin	Gould	Macdonald	Schifferdecker	Wheeler
Colné	Graubard	MacGregor	Seeley	White
Connell	Gray	Manley	Shannon	Wilson
Constantine	Gregg	McCue	Shea	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cross	Hackett	McElligott	Shepardson	Yeomans
Cuvillier	Haines	McGrath	Shlivek	Young
Dawson	Hart	McKeon	Shortt	Zorn
Day	Hammond			

Mr. Graubard, from the committee on public printing, to which was referred the resolution relative to printing 500 additional copies each of Assembly bills No. 400 (Int. No. 391), No. 401 (Int. No. 392), No. 402 (Int. No. 393), No. 403 (Int. No. 394), No. 404 (Int. No. 395), No 405 (Int. No. 396), No. 407 (Int. No. 397), No. 408 (Int. No. 399), No. 409 (Int. No. 400), amending the Insurance Law, reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the use of the Assembly 500 additional copies each of Assembly bills No. 400 (Int. No. 391), No. 401 (Int. No. 392), No. 402 (Int. No. 393), No. 403 (Int. No. 394), No. 404 (Int. No. 395), No. 405 (Int. No. 396), No. 407 (Int. No. 397), No. 408 (Int. No. 399), No. 409 (Int. No. 400), amending the Insurance Law.

which report was agreed to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	Miller	Smith A E
Ahern	Donnelly	Herrick J J	Monczynski	Smith T K
Allen	Drummond	Herrick W R	Mork	Spielberg

Beach	Ebbetts	Heyman	Murray	Stivers
Blauvelt	Egan	Higgins	Myers	Sullivan
Boylan	Evans	Hinman	Neupert	Sweet
Brace	Farrell	Hoff	Nolan	Talmage
Brennan	Fay	Hollmann	O'Connor	Terry
Brereton	Filley	Hoyt	Oliver	Thorn
Bridenbecker	Fitzpatrick	Huber	O'Neill J J	Trombly
Brooks	Foley	Jackson	O'Neil M A	Turley
Brown	Friedman	Jameson	Pappert	Walker
Bryant	Fry	Jones	Parker A	Ward
Bush	Gerhardt	Kennedy	Parker J S	Waring
Carew	Gillen	Keys	Patrie	Warren
Caughlan	Goldberg	Lansing	Phillips C W	Waters F A
Chanler	Goldstein	LaReau	Phillips J S	Waters R B
Cheney	Goodman	Levy A J	Pierce	Weil
Coffey	Goodwin	Levy J	Saunders	Wende
Collin	Gould	Macdonald	Schifferdecker	Wheeler
Colné	Graubard	MacGregor	Seeley	White
Connell	Gray	Manley	Shannon	Wilson
Constantine	Gregg	McCue	Shea	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cross	Hackett	McElligott	Shepardson	Yeomans
Cuvillier	Haines	McGrath	Shlivek	Young
Dawson	Hart	McKeon	Shortt	Zorn
Day	Hammond			

Mr. Graubard, from the committee on public printing, to which was referred the resolution relative to printing 500 additional copies of Assembly bill (Int. No. 19, Printed No. 19), reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the use of the Assembly 500 extra copies of Assembly bill No. 19 (Int. No. 19), entitled "An act to amend the Penal Law, in relation to permitting labor and secular business on the first day of the week by certain persons."

which report was agreed to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	Miller	Smith A E
Ahern	Donnelly	Herrick J J	Monczynski	Smith T K
Allen	Drummond	Herrick W R	Mork	Spielberg
Beach	Ebbetts	Heyman	Murray	Stivers
Blauvelt	Egan	Higgins	Myers	Sullivan
Boylan	Evans	Hinman	Neupert	Sweet
Brace	Farrell	Hoff	Nolan	Talmage

Brennan	Fay	Hollmann	O'Connor	Terry
Brereton	Filley	Hoyt	Oliver	Thorn
Bridenbecker	Fitzpatrick	Huber	O'Neill J J	Trombly
Brooks	Foley	Jackson	O'Neil M A	Turley
Brown	Friedman	Jameson	Pappert	Walker
Bryant	Fry	Jones	Parker A	Ward
Bush	Gerhardt	Kennedy	Parker J S	Waring
Carew	Gillen	Keys	Patrie	Warren
Caughlan	Goldberg	Lansing	Phillips C W	Waters F A
Chanler	Goldstein	LaReau	Phillips J S	Waters R B
Cheney	Goodman	Levy A J	Pierce	Weil
Coffey	Goodwin	Levy J	Saunders	Wende
Collin	Gould	Macdonald	Schifferdecker	Wheeler
Colné	Graubard	MacGregor	Seeley	White
Connell	Gray	Manley	Shannon	Wilson
Constantine	Gregg	McCue	Shea	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cross	Hackett	McElligott	Shepardson	Yeomans
Cuvillier	Haines	McGrath	Shlivek	Young
Dawson	Hart	McKeon	Shortt	Zorn
Day	Hammond			

Mr. Graubard, from the committee on public printing, to which was referred the resolution relative to printing 500 additional copies of Assembly bill (Int. No. 18, Printed No. 18), reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the use of the Assembly 500 extra copies of Assembly bill No. 18 (Int. No. 18), entitled "An act to provide for theatrical and other public performances in cities on Sundays."

which report was agreed to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	Miller	Smith A E
Ahern	Donnelly	Herrick J J	Monczynski	Smith T K
Allen	Drummond	Herrick W R	Mork	Spielberg
Beach	Ebbetts	Heyman	Murray	Stivers
Blauvelt	Egan	Higgins	Myers	Sullivan
Boylan	Evans	Hinman	Neupert	Sweet
Brace	Farrell	Hoff	Nolan	Talmage
Brennan	Fay	Hollmann	O'Connor	Terry
Brereton	Filley	Hoyt	Oliver	Thorn
Bridenbecker	Fitzpatrick	Huber	O'Neill J J	Trombly
Brooks	Foley	Jackson	O'Neil M A	Turly
Brown	Friedman	Jameson	Pappert	Walker

Bryant	Fry	Jones	Parker A	Ward
Bush	Gerhardt	Kennedy	Parker J S	Waring
Carew	Gillen	Keys	Patrie	Warren
Caughlan	Goldberg	Lansing	Phillips C W	Waters F A
Chanler	Goldstein	LaReau	Phillips J S	Waters R B
Cheney	Goodman	Levy A J	Pierce	Weil
Coffey	Goodwin	Levy J	Saunders	Wende
Collin	Gould	Macdonald	Schifferdecker	Wheeler
Colne	Graubard	MacGregor	Seeley	White
Connell	Gray	Manley	Shannon	Wilson
Constantine	Gregg	McCue	Shea	Winters
Cosad	Gurnett	McDaniels	Sheide	Ysle
Cross	Hackett	McElligott	Shepardson	Yeomans
Cuvillier	Haines	McGrath	Shlivek	Young
Dawson	Hart	McKeon	Shortt	Zorn
Day	Hammond			

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend section sixteen hundred and twenty-seven of the Code of Civil Procedure, when people of State is made party, in action to foreclosure mortgage. (No. 573, Int. No. 93.)

"An act to amend section fifteen hundred and ninety-four of the Code of Civil Procedure, when the State is interested as party defendant." (No. 574, Int. No. 92.)

"An act to amend chapter three hundred and fifty-six of the Laws of nineteen hundred and seven, as amended by chapter one hundred and seven of the Laws of nineteen hundred and nine, entitled 'An act to provide for the construction of intercepting sewers in and for the city of Syracuse,' in relation to the issue and payment of bonds." (No. 577, Int. No. 487.)

"An act to amend the Tax Law, in relation to organization tax." (No. 301, Int. No. 300.)

"An act to amend the Public Health Law, in relation to burial and burial permits." (No. 527, Int. No. 512.)

"An act to establish the office of receiver of taxes of the town of Babylon, in the county of Suffolk, defining the powers and duties of the receiver and fixing his compensation." (No. 345, Int. No. 344.)

"An act to amend section four hundred and forty-seven of the Code of Civil Procedure, as to defendants, where the people of the State are made party defendant." (No. 575, Int. No. 91.)

"An act to amend the Agricultural Law, in relation to the

definition of the terms 'butter' and 'cheese.'" (No. 645, Int. No. 134.)

"An act to amend the Code of Civil Procedure, in relation to examinations of proceedings supplemental to execution." (No. 644, Int. No. 224.)

"An act to amend the Indian Law, in relation to prosecution of actions and proceedings by the Seneca Nation of Indians." (No. 646, Int. No. 150.)

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on military affairs be discharged from the further consideration of the Assembly bill No. 499 (Int. No. 440), entitled "An act to amend the Military Law, in relation to pay and allowances."

and that said bill be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Fiero	Harden	McManus	Sanner	
Black	Frawley	Harte	O'Brien	Stilwell	
Cronin	Gittins	Long	Pollock	Sullivan T D	
Ferris	Griffin	McClelland	Ramsperger	Wagner	20

FOR CHAUNCEY M. DEPEW.

Allen	Emerson	Hinman	Rose	Travis	
Argetsinger	Griffith	Newcomb	Sage	Wainwright	
Coats	Heacock	Platt	Thomas	Walters	
Cobb					16

FOR EDWARD M. SHEPARD.

Roosevelt	1

FOR MARTIN W. LITTLETON.

Burd	1

FOR M. J. O'BRIEN.

Loomis	Saxe	2

FOR WM. SULZER.

White	1

FOR J. J. HOPPER.

Duhamel	1

When the roll was called the following pairs were announced: Mr. Brackett with Mr. Grady; Mr. Bussey with Mr. Cullen; Mr. Hewitt with Mr. Murtaugh; Mr. Hamilton with Mr. Sullivan, C. D.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Hackett	McCue	Schifferdecker	
Boylan	Fitzpatrick	Hearn	McElligott	Seeley	
Brennan	Foley	Herrick J J	McGrath	Sheide	
Bush	Frisbie	Herrick W R	McKeon	Smith A E	
Carew	Gerhardt	Heyman	Monczynski	Spielberg	
Caughlan	Gillen	Hoey	Mork	Turley	
Collin	Goldberg	Jackson	Neupert	Walker	
Cuvillier	Goldstein	Jameson	Oliver	Warren	
Dawson	Gould	LaReau	O'Neill J J	Weil	
Donnelly	Graubard	Levy A J	O'Neil M A	Wende	
Egan	Gregg	Levy J	Parker A	Zorn	
Farrell	Gurnett	Manley	Patrie		59

FOR CHAUNCEY M. DEPEW.

Adler	Cross	Hoff	Phillips J S	Thorn	
Ahern	DeLano	Jones	Pierce	Ward	
Allen	Ebbetts	Keys	Shannon	Waring	
Brereton	Filley	Lansing	Shea	Waters F A	
Brooks	Goodman	Macdonald	Shepardson	Waters R B	
Brown	Goodwin	MacGregor	Shlivek	White	
Bryant	Gray	Murray	Smith T K	Wilson	
Cheney	Haines	Nolan	Stivers	Winters	
Coffey	Hammond	Pappert	Sullivan	Yale	
Colné	Hart	Parker J S	Sweet	Yeomans	
Connell	Higgins	Phillips C W	Talmage	Young	
Constantine	Hinman				57

FOR EDWARD M. SHEPARD.

Beach	Evans	Fry	Shortt	Trombly	
Chanler	Friedman	Huber	Terry	Wheeler	
Drummond					11

FOR ALTON B. PARKER.

McDaniels	1

FOR MARTIN W. LITTLETON.

Hollmann	Hoyt	2

FOR MARTIN H. GLYNN.

Saunders				1

FOR JOHN D. KERNAN.

Brace	Bridenbecker	Cosad	Miller	4

FOR WM. SULZER.

Kennedy	Myers	2

FOR J. J. HOPPER.

O'Connor	1.

FOR JOHN N. CARLISLE.

Day	1

When the roll was called the following pairs were announced:

Mr. Baumes with Mr. Donovan; Mr. Butler with Mr. Gerken; Mr. Kopp with Mr. Geatons; Mr. Merritt with Mr. Martin.

Mr. Lent of Kings was excused for the day.

Whole number of votes cast			181
Necessary to a choice			91
For William F. Sheehan	20	59	79
For Chauncey M. Depew	16	57	73
For Edward M. Shepard	1	11	12
For Alton B. Parker	0	1	1
For Martin W. Littleton	1	2	3
For Martin H. Glynn	0	1	1
For John W. Kernan	0	4	4
For M. J. O'Brien	2	0	2
For William Sulzer	1	2	3
For J. J. Hopper	1	1	2
For John N. Carlisle	0	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew, whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Frawley, the joint assembly took a recess until Thursday, February 23d, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the

Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Thursday, February 23d, at 12 o'clock noon in the Assembly Chamber.

The bill (No. 266, Int. No. 264) entitled "An act to amend the Tax Law, in relation to receipts by collectors and receivers of taxes," having been announced,

Mr. J. J. O'Neil moved to amend as follows:

By striking out the words "made out with ink" after the word "receipt" in line 6, first page, and inserting the words "wholly written with ink or partly printed and filled out with ink," in italics.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 604, Int. No. 9) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to jury fees," was read the second time.

On motion of Mr. Goldberg, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 605, Int. No. 104) entitled "An act to amend the Military Law, in relation to the military secretary to the Governor," having been announced for a second reading,

On motion of Mr. Cuvillier, said bill was recommitted to the committee on military affairs, retaining its place on the order of second reading.

The bill (No. 606, Int. No. 118) entitled "An act to amend the Agricultural Law, in relation to representations in the sale of certain articles of food kept or preserved in cold storage or refrigerating warehouses," was read the second time.

On motion of Mr. Ebbetts, said bill was placed on the order of third reading and referred to the committee on revision.

On motion of Mr. Ebbetts, said bill was recommitted to the

committee on agriculture, retaining its place on the order of third reading.

The bill (No. 634, Int. No. 154) entitled "An act to amend the Public Health Law, relating to cold storage and refrigerating warehouses and places, and the sale or disposition of the food kept or preserved therein," having been announced,

Mr. Brennan moved to amend as follows:

Page 2, strike out the quotation marks on lines 14, 15, 16, 20 and 25.

Page 3, strike out the quotation marks on lines 2, 3, 6, 7, 12, 14, 18 and 19.

Page 4, strike out the quotation marks on lines 18 and 19.

Page 5, strike out the quotation marks on lines 8 and 9.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, and on motion of Mr. Brennan was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 428, Int. No. 423) entitled "An act to repeal chapter four hundred and forty-four of the Laws of nineteen hundred and ten, entitled 'An act to establish a public school teachers' retirement fund in Greene county,' and to provide for the distribution of moneys heretofore paid into said fund," was read the second time.

On motion of Mr. Patrie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 458, Int. No. 449) entitled "An act to legalize certain acts and proceedings of union free school district number six of the town of West Seneca, in the county of Erie, its voters, board of trustees, officers and agent, in relation to a certain tax voted and raised therein, in the year nineteen hundred and ten, and authorizing the distribution of the moneys so raised," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 84, Int. No. 84) entitled "An act to amend the Greater New York charter, relative to the compensation of commissioners of estimate and appraisal," was read the third time,

having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 76
NOES 55

Those who voted in the affirmative were:

Allen	Evans	Hammond	McElligott	Shepardson
Boylan	Farrell	Hearn	McGrath	Shortt
Brennan	Fay	Herrick J J	McKeon	Smith A E
Bush	Filley	Heyman	Monczynski	Spielberg
Carew	Fitzpatrick	Hollmann	Myers	Stivers
Caughlan	Foley	Jackson	Neupert	Thorn
Chanler	Gerhardt	Jameson	Oliver	Trombly
Cheney	Gillen	Kennedy	O'Neill J J	Turley
Cosad	Goldberg	LaReau	O'Neil M A	Walker
Cross	Gould	Levy A J	Parker J S	Waters R B
Cuvillier	Graubard	Levy J	Patrie	Weil
Dawson	Gregg	Macdonald	Schifferdecker	Winters
Day	Gurnett	Manley	Seeley	Yale
Donnelly	Hackett	McCue	Shea	Young
Donovan	Haines	McDaniels	Sheide	Zorn
Egan				

Those who voted in the negative were:

Adler	Colné	Gray	Miller	Sullivan
Ahern	Connell	Hart	Mork	Talmage
Beach	Constantine	Herrick W R	Murray	Terry
Blauvelt	DeLano	Higgins	O'Connor	Ward
Brace	Drummond	Hoff	Pappert	Waring
Berreton	Ebbetts	Hoyt	Parker A	Warren
Bridenbecker	Friedman	Huber	Phillips J S	Waters F A
Brooks	Fry	Jones	Pierce	Wheeler
Bryant	Goldstein	Keys	Saunders	White
Coffey	Goodman	Lansing	Shannon	Wilson
Collin	Goodwin	MacGregor	Shlivek	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 512, Int. No. 262) entitled "An act to amend the Code of Criminal Procedure, in relation to admission to bail," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 1

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McKeon	Smith A E
Ahern	Donnelly	Hearn	Miller	Smith T K
Allen	Drummond	Herrick J J	Monczynski	Spielberg
Beach	Ebbetts	Herrick W R	Mork	Stivers
Blauvelt	Egan	Heyman	Murray	Sullivan
Boylan	Evans	Higgins	Myers	Sweet
Brace	Farrell	Hinman	Neupert	Talmage
Brennan	Fay	Hoff	Nolan	Terry
Brereton	Filley	Hollmann	O'Connor	Thorn
Bridenbecker	Fitzpatrick	Hoyt	Oliver	Trombly
Brooks	Foley	Huber	O'Neill J J	Turley
Brown	Friedman	Jackson	O'Neil M A	Walker
Bryant	Fry	Jameson	Pappert	Ward
Bush	Gerhardt	Jones	Parker A	Waring
Carew	Gillen	Kennedy	Parker J S	Warren
Caughlan	Goldberg	Keys	Patrie	Waters F A
Chanler	Goldstein	Lansing	Phillips C W	Waters R B
Cheney	Goodman	LaReau	Pierce	Weil
Coffey	Goodwin	Levy A J	Saunders	Wende
Collin	Gould	Levy J	Schifferdecker	Wheeler
Colné	Graubard	Macdonald	Seeley	White
Connell	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Gurnett	McCue	Sheide	Yale
Cross	Hackett	McDaniels	Shepardson	Yeomans
Cuvillier	Haines	McElligott	Shlivek	Young
Dawson	Hart	McGrath	Shortt	Zorn
Day				

In the negative:

Phillips J S

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 192, Int. No. 191) entitled "An act to amend the General City Law, in relation to compensating certain city employees who are injured in the discharge of their duties," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 1

Those who voted in the affirmative were.

Adler	DeLano	Hammond	McKeon	Smith A E
Ahern	Donnelly	Hearn	Miller	Smith T K
Allen	Drummond	Herrick J J	Monczynski	Spielberg
Baumes	Ebbetts	Herrick W R	Mork	Stivers
Beach	Egan	Heyman	Myers	Sullivan
Boylan	Evans	Higgins	Neupert	Sweet
Brace	Farrell	Hinman	Nolan	Talmage
Brennan	Fay	Hoff	O'Connor	Terry
Brereton	Filley	Hollmann	Oliver	Thorn
Bridenbecker	Fitzpatrick	Hoyt	O'Neill J J	Trombly
Brooks	Foley	Huber	O'Neil M A	Turley
Brown	Friedman	Jackson	Pappert	Walker
Bryant	Fry	Jameson	Parker A	Ward
Bush	Gerhardt	Jones	Parker J S	Waring
Carew	Gillen	Kennedy	Patrie	Warren
Caughlan	Goldberg	Keys	Phillips C W	Waters F A
Chanler	Goldstein	Lansing	Phillips J S	Waters R B
Cheney	Goodman	LaReau	Pierce	Weil
Coffey	Goodwin	Levy A J	Saunders	Wende
Collin	Gould	Levy J	Schifferdecker	Wheeler
Colné	Graubard	Macdonald	Seeley	White
Connell	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Gurnett	McCue	Sheide	Yale
Cross	Hackett	McDaniels	Shepardson	Yeomans
Cuvillier	Haines	McElligott	Shlivek	Young
Dawson	Hart	McGrath	Shortt	Zorn
Day				

In the negative:

Murray

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 513, Int. No. 33) entitled "An act to amend the Code of Criminal Procedure, relative to admitting the defendant to bail," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135
NOES 2

Those who voted in the affirmative were:

Adler	Day	Hart	McGrath	Smith A E
Ahern	DeLano	Hammond	McKeon	Smith T K
Allen	Donnelly	Hearn	Miller	Spielberg
Beach	Drummond	Herrick J J	Monczynski	Stivers
Blauvelt	Ebbetts	Herrick W R	Mork	Sullivan
Boylan	Egan	Heyman	Myers	Sweet
Brace	Evans	Higgins	Neupert	Talmage
Brennan	Farrell	Hinman	Nolan	Terry
Brereton	Fay	Hoff	O'Connor	Thorn
Bridenbecker	Filley	Hollmann	Oliver	Trombly
Brooks	Fitzpatrick	Hoyt	O'Neill J J	Turley
Brown	Foley	Huber	O'Neil M A	Walker
Bryant	Friedman	Jackson	Pappert	Ward
Bush	Fry	Jameson	Parker A	Waring
Carew	Gerhardt	Jones	Parker J S	Warren
Caughlan	Gillen	Kennedy	Patrie	Waters F A
Chanler	Goldberg	Keys	Phillips C W	Waters R B
Cheney	Goldstein	Lansing	Pierce	Weil
Coffey	Goodman	LaReau	Saunders	Wende
Collin	Goodwin	Levy A J	Schifferdecker	Wheeler
Colne	Gould	Levy J	Seeley	White
Connell	Graubard	Macdonald	Shannon	Wilson
Constantine	Gray	MacGregor	Shea	Winters
Cosad	Gregg	Manley	Sheide	Yale
Cross	Gurnett	McCue	Shepardson	Yeomans
Cuvillier	Hackett	McDaniels	Shlivek	Young
Dawson	Haines	McElligott	Shortt	Zorn

Those who voted in the negative were:

Murray Phillips J S

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 470, Int. No. 322) entitled "An act to amend the Judiciary Law, in relation to salaries of attendants and messengers of surrogate's court of New York county and to repeal chapter four hundred and eighty-seven of the Laws of nineteen hundred and six, relative to the same subject," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 2

Those who voted in the affirmative were:

Adler	Day	Hart	McGrath	Smith A E
Ahern	DeLano	Hammond	McKeon	Smith T K
Allen	Donnelly	Hearn	Miller	Spielberg
Beach	Drummond	Herrick J J	Monczynski	Stivers
Blauvelt	Ebbetts	Herrick W R	Mork	Sullivan
Boylan	Egan	Heyman	Myers	Sweet
Brace	Evans	Higgins	Neupert	Talmage
Brennan	Farrell	Hinman	Nolan	Terry
Brereton	Fay	Hoff	O'Connor	Thorn
Bridenbecker	Filley	Hollmann	Oliver	Trombly
Brooks	Fitzpatrick	Hoyt	O'Neill J J	Turley
Brown	Foley	Huber	O'Neil M A	Walker
Bryant	Friedman	Jackson	Pappert	Waid
Bush	Fry	Jameson	Parker A	Waring
Carew	Gerhardt	Jones	Parker J S	Warren
Caughlan	Gillen	Kennedy	Patrie	Waters F A
Chanler	Goldberg	Keys	Phillips C W	Waters R B
Cheney	Goldstein	Lansing	Pierce	Weil
Coffey	Goodman	LaReau	Saunders	Wende
Collin	Goodwin	Levy A J	Schifferdecker	Wheeler
Colné	Gould	Levy J	Seeley	White
Connell	Graubard	Macdonald	Shannon	Wilson
Constantine	Gray	MacGregor	Shea	Winters
Cosad	Gregg	Manley	Sheide	Yale
Cross	Gurnett	McCue	Shepardson	Yeomans
Cuvillier	Hackett	McDaniels	Shlivek	Young
Dawson	Haines	McElligott	Shortt	Zorn

Those who voted in the negative were:

Murray	Phillips J S

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 575, Int. No. 91) entitled "An act to amend section four hundred and forty-seven of the Code of Civil Procedure, as to defendants, where the people of the State are made party defendant," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	Miller	Smith A E
Ahern	Donnelly	Herrick J J	Monczynski	Smith T K
Allen	Drummond	Herrick W R	Mork	Spielberg
Beach	Ebbetts	Heyman	Murray	Stivers
Blauvelt	Egan	Higgins	Myers	Sullivan
Boylan	Evans	Hinman	Neupert	Sweet
Brace	Farrell	Hoff	Nolan	Talmage
Brennan	Fay	Hollmann	O'Connor	Terry
Brereton	Filley	Hoyt	Oliver	Thorn
Bridenbecker	Fitzpatrick	Huber	O'Neill J J	Trombly
Brooks	Foley	Jackson	O'Neil M A	Turley
Brown	Friedman	Jameson	Pappert	Walker
Bryant	Fry	Jones	Parker A	Ward
Bush	Gerhardt	Kennedy	Parker J S	Waring
Carew	Gillen	Keys	Patrie	Warren
Caughlan	Goldberg	Lansing	Phillips C W	Waters F A
Chanler	Goldstein	LaReau	Phillips J S	Waters R B
Cheney	Goodman	Levy A J	Pierce	Weil
Coffey	Goodwin	Levy J	Saunders	Wende
Collin	Gould	Macdonald	Schifferdecker	Wheeler
Colné	Graubard	MacGregor	Seeley	White
Connell	Gray	Manley	Shannon	Wilson
Constantine	Gregg	McCue	Shea	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cross	Hackett	McElligott	Shepardson	Yeomans
Cuvillier	Haines	McGrath	Shlivek	Young
Dawson	Hart	McKeon	Shortt	Zorn
Day	Hammond			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 574, Int. No. 92) entitled "An act to amend section fifteen hundred and ninety-four of the Code of Civil Procedure, when the State is interested as party defendant," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	Miller	Smith A E
Ahern	Donnelly	Herrick J J	Monczynski	Smith T K
Allen	Drummond	Herrick W R	Mork	Spielberg

Beach	Ebbetts	Heyman	Murray	Stivers
Blauvelt	Egan	Higgins	Myers	Sullivan
Boylan	Evans	Hinman	Neupert	Sweet
Brace	Farrell	Hoff	Nolan	Talmage
Brennan	Fay	Hollmann	O'Connor	Terry
Brereton	Filley	Hoyt	Oliver	Thorn
Bridenbecker	Fitzpatrick	Huber	O'Neill J J	Trombly
Brooks	Foley	Jackson	O'Neil M A	Turley
Brown	Friedman	Jameson	Pappert	Walker
Bryant	Fry	Jones	Parker A	Ward
Bush	Gerhardt	Kennedy	Parker J S	Waring
Carew	Gillen	Keys	Patrie	Warren
Caughlan	Goldberg	Lansing	Phillips C W	Waters F A
Chanler	Goldstein	LaReau	Phillips J S	Waters R B
Cheney	Goodman	Levy A J	Pierce	Weil
Coffey	Goodwin	Levy J	Saunders	Wende
Collin	Gould	Macdonald	Schifferdecker	Wheeler
Colné	Graubard	MacGregor	Seeley	White
Connell	Gray	Manley	Shannon	Wilson
Constantine	Gregg	McCue	Shea	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cross	Hackett	McElligott	Shepardson	Yeomans
Cuvillier	Haines	McGrath	Shlivek	Young
Dawson	Hart	McKeon	Shortt	Zorn
Day	Hammond			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 573, Int. No. 93) entitled "An act to amend section sixteen hundred and twenty-seven of the Code of Civil Procedure, when people of State is made party, in action to foreclose mortgage," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	Miller	Smith A E
Ahern	Donnelly	Herrick J J	Monczynski	Smith T K
Allen	Drummond	Herrick W R	Mork	Spielberg
Beach	Ebbetts	Heyman	Murray	Stivers
Blauvelt	Egan	Higgins	Myers	Sullivan
Boylan	Evans	Hinman	Neupert	Sweet
Brace	Farrell	Hoff	Nolan	Talmage
Brennan	Fay	Hollmann	O'Connor	Terry
Brereton	Filley	Hoyt	Oliver	Thorn
Bridenbecker	Fitzpatrick	Huber	O'Neill J J	Trombly

Brooks	Foley	Jackson	O'Neil M A	Turley
Brown	Friedman	Jameson	Pappert	Walker
Bryant	Fry	Jones	Parker A	Ward
Bush	Gerhardt	Kennedy	Parker J S	Waring
Carew	Gillen	Keys	Patrie	Warren
Caughlan	Goldberg	Lansing	Phillips C W	Waters F A
Chanler	Goldstein	LaReau	Phillips J S	Waters R B
Cheney	Goodman	Levy A J	Pierce	Weil
Coffey	Goodwin	Levy J	Saunders	Wende
Collin	Gould	Macdonald	Schifferdecker	Wheeler
Colné	Graubard	MacGregor	Seeley	White
Connell	Gray	Manley	Shannon	Wilson
Constantine	Gregg	McCue	Shea	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cross	Hackett	McElligott	Shepardson	Yeomans
Cuvillier	Haines	McGrath	Shlivek	Young
Dawson	Hart	McKeon	Shortt	Zorn
Day	Hammond			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 301, Int. No. 300) entitled "An act to amend the Tax Law, in relation to organization tax," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	Miller	Smith A E
Ahern	Donnelly	Herrick J J	Monczynski	Smith T K
Allen	Drummond	Herrick W R	Mork	Spielberg
Beach	Ebbetts	Heyman	Murray	Stivers
Blauvelt	Egan	Higgins	Myers	Sullivan
Boylan	Evans	Hinman	Neupert	Sweet
Brace	Farrell	Hoff	Nolan	Talmage
Brennan	Fay	Hollmann	O'Connor	Terry
Brereton	Filley	Hoyt	Oliver	Thorn
Bridenbecker	Fitzpatrick	Huber	O'Neill J J	Trombly
Brooks	Foley	Jackson	O'Neil M A	Turley
Brown	Friedman	Jameson	Pappert	Walker
Bryant	Fry	Jones	Parker A	Ward
Bush	Gerhardt	Kennedy	Parker J S	Waring
Carew	Gillen	Keys	Patrie	Warren
Caughlan	Goldberg	Lansing	Phillips C W	Waters F A
Chanler	Goldstein	LaReau	Phillips J S	Waters R B
Cheney	Goodman	Levy A J	Pierce	Weil
Coffey	Goodwin	Levy J	Saunders	Wende

Collin	Gould	Macdonald	Schifferdecker	Wheeler
Colne	Graubard	MacGregor	Seeley	White
Connell	Gray	Manley	Shannon	Wilson
Constantine	Gregg	McCue	Shea	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cross	Hackett	McElligott	Shepardson	Yeomans
Cuvillier	Haines	McGrath	Shlivek	Young
Dawson	Hart	McKeon	Shortt	Zorn
Day	Hammond			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 577, Int. No. 487) entitled "An act to amend chapter three hundred and fifty-six of the Laws of nineteen hundred and seven, as amended by chapter one hundred and seven of the Laws of nineteen hundred and nine, entitled 'An act to provide for the construction of intercepting sewers in and for the city of Syracuse, in relation to the issue and payment of bonds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	Miller	Smith A E
Ahern	Donnelly	Herrick J J	Monczynski	Smith T K
Allen	Drummond	Herrick W R	Mork	Spielberg
Baumes	Ebbetts	Heyman	Murray	Stivers
Beach	Egan	Higgins	Myers	Sullivan
Boylan	Evans	Hinman	Neupert	Sweet
Brace	Farrell	Hoff	Nolan	Talmage
Brennan	Fay	Hollmann	O'Connor	Terry
Brereton	Filley	Hoyt	Oliver	Thorn
Bridenbecker	Fitzpatrick	Huber	O'Neil J J	Trombly
Brooks	Foley	Jackson	O'Neil M A	Turley
Brown	Friedman	Jameson	Pappert	Walker
Bryant	Fry	Jones	Parker A	Ward
Bush	Gerhardt	Kennedy	Parker J S	Waring
Carew	Gillen	Keys	Patrie	Warren
Caughlan	Goldberg	Lansing	Phillips C W	Waters F A
Chanler	Goldstein	LaReau	Phillips J S	Waters R B
Cheney	Goodman	Levy A J	Pierce	Weil
Coffey	Goodwin	Levy J	Saunders	Wende
Collin	Gould	Macdonald	Schifferdecker	Wheeler
Colné	Graubard	MacGregor	Seeley	White
Connell	Gray	Manley	Shannon	Wilson

Constantine	Gregg	McCue	Shea	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cross	Hackett	McElligott	Shepardson	Yeomans
Cuvillier	Haines	McGrath	Shlivek	Young
Dawson	Hart	McKeon	Shortt	Zorn
Day	Hammond			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 527, Int. No. 512) entitled "An act to amend the Public Health Law, in relation to burial and burial permits," having been announced,

Mr. Bush moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith, amended as follows:

Page 2, line 5, after the word "disease" change period to comma and insert in italics "or the cause of death is not a matter for investigation by the coroner of the county."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bush, from the committee on public health, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

By unanimous consent, Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on claims be discharged from the further consideration of the Senate bill (No.15, Rec. No. 12), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Leroy Crawford against the State for damages alleged to have been sustained by him by reason of the appropriation of the lands of Mary L. Fisher, in the county of Herkimer, by the forest purchasing board for Adirondack park purposes, and to render judgment therefor."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	Miller	Smith A E
Ahern	Donnelly	Herrick J J	Monczynski	Smith T K
Allen	Drummond	Herrick W R	Mork	Spielberg
Beach	Ebbetts	Heyman	Murray	Stivers
Blauvelt	Egan	Higgins	Myers	Sullivan
Boylan	Evans	Hinman	Neupert	Sweet
Brace	Farrell	Hoff	Nolan	Talmage
Brennan	Fay	Hollmann	O'Connor	Terry
Bieieton	Filley	Hoyt	Oliver	Thorn
Bridenbecker	Fitzpatrick	Huber	O'Neill J J	Trombly
Brooks	Foley	Jackson	O'Neil M A	Turley
Brown	Friedman	Jameson	Pappert	Walker
Bryant	Fry	Jones	Parker A	Ward
Bush	Gerhardt	Kennedy	Parker J S	Waiing
Carew	Gillen	Keys	Patrie	Warren
Caughlan	Goldberg	Lansing	Phillips C W	Waters F A
Chanler	Goldstein	LaReau	Phillips J S	Waters R B
Cheney	Goodman	Levy A J	Pierce	Weil
Coffey	Goodwin	Levy J	Saunders	Wende
Collin	Gould	Macdonald	Schifferdecker	Wheeler
Colné	Graubard	MacGregor	Seeley	White
Connell	Gray	Manley	Shannon	Wilson
Constantine	Gregg	McCue	Shea	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cross	Hackett	McElligott	Shepardson	Yeomans
Cuvillier	Haines	McGrath	Shlivek	Young
Dawson	Hart	McKeon	Shortt	Zorn
Day	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Bush offered for the consideration of the House a resolution, in the words following:

Whereas, This day marks the 149th anniversary of the birth of George Washington, the first President of the United States, known as the Father of his Country, and his place in history is recognized as being first in war, first in peace and first in the hearts of his countrymen; and

Whereas, We appreciate the fact that his physical, mental and moral excellencies were largely the result of the careful nursing and training of his mother, Mary Bell Washington; therefore be it

Resolved, That we do with our reverence to his memory give a tribute of praise to the character and efforts of his mother, and commend her virtues as an example to be followed by the American women of this generation; and be it further

Resolved, That this House do now adjourn in respect to the memory of George Washington.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared the House adjourned.

THURSDAY, FEBRUARY 23, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Edward R. James, Rensselaer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	DeLano	Herrick J J	Miller	Smith A E
Ahern	Donnelly	Herrick W R	Monczynski	Stivers
Allen	Drummond	Heyman	Murray	Sullivan
Beach	Ebbetts	Higgins	Myers	Sweet
Blauvelt	Egan	Hoey	Neupert	Talmage
Boylan	Evans	Hoff	Nolan	Terry
Brace	Farrell	Hollmann	Oliver	Thorn
Brereton	Fay	Hoyt	O'Neill J J	Trombly
Bridenbecker	Filley	Huber	O'Neil M A	Turley
Brooks	Fitzpatrick	Jackson	Pappert	Ward
Bryant	Foley	Jameson	Parker A	Waring
Bush	Friedman	Jones	Parker J S	Warren
Carew	Fry	Kennedy	Patrie	Waters F A
Caughlan	Gerhardt	Keys	Phillips J S	Weil
Chanler	Gillen	Lansing	Pierce	Wende
Cheney	Goldberg	LaReau	Saunders	Wheeler
Coffey	Gould	Levy A J	Schifferdecker	White
Collin	Graubard	MacGregor	Seeley	Wilson
Colné	Gray	Manley	Shannon	Winters
Constantine	Gregg	McCue	Shea	Yale
Cosad	Gurnett	McDaniels	Sheide	Yeomans
Cross	Haines	McElligott	Shepardson	Young
Cuvillier	Hart	McGrath	Shlivek	Zorn
Dawson	Hammond	McKeon	Shortt	Speaker
Day	Hearn			

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following entitled bills:

"An act to authorize the board of education of union free school district number four of the town of Rye, in the county of Westchester, to issue certificates of indebtedness for unpaid school taxes, and to provide for the payment of such certificates" (No. 50, Rec. No. 15), which was read the first time and referred to the committee on public education.

"An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the annual budget of the board of education" (No. 51, Rec. No. 16), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the city of Hudson to borrow money for street improvements, and to issue the bonds of the city therefor" (No. 32, Rec. No. 17), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the County Law, in relation to the salary of the surrogate of the county of Kings" (No. 379, Rec. No. 18), which was read the first time and referred to the committee on internal affairs.

Mr. Allen introduced a bill entitled "An act to amend the Public Health Law, relative to working hours in pharmacies or drug stores" (Int. No. 679), which was read the first time and referred to the committee on public health.

Mr. Egan introduced a bill entitled "An act to amend the Railway Law, in relation to erecting guard rails on platforms of railway stations in the city of New York" (Int. No. 680), which was read the first time and referred to the committee on railroads.

Mr. Gould introduced a bill entitled "An act enabling cities of the third class by popular vote to redistribute their corporate functions" (Int. No. 681), which was read the first time and referred to the committee on affairs of cities.

Mr. Hoey introduced a bill entitled "An act to amend section fifteen of the Personal Property Law, relating to trust funds" (Int. No. 682), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Public Officers Law, in relation to holidays and the hours of employees of the State and the various subdivisions thereof, and the compensation therefor" (Int. No. 683), which was read the first time and referred to the committee on general laws.

Mr. Jackson introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to prohibited hours for the traffic in liquors in certain villages" (Int. No. 684), which was read the first time and referred to the committee on excise.

Mr. McCue introduced a bill entitled "An act to amend the Greater New York charter, in relation to pensioners holding offices" (Int. No. 685), which was read the first time and referred to the committee on affairs of cities.

Mr. Lansing introduced a bill entitled "An act to extend the time to finish the Troy, Rensselaer and Pittsfield railroad and put the same in operation" (Int. No. 686), which was read the first time and referred to the committee on railroads.

Mr. T. K. Smith introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season" (Int. No. 687), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Wende introduced a bill entitled "An act to amend the Election Law, in relation to the registration of voters" (Int. No. 688), which was read the first time and referred to the committee on the judiciary.

Also, "An act to legalize certain bonds of the county of Erie" (Int. No. 689), which was read the first time and referred to the committee on internal affairs.

Mr. Donnelly introduced a bill entitled "An act to amend the Greater New York charter, in relation to city marshals" (Int. No. 690), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation

to the municipal court of the city of New York, its officers and marshals,' in relation to fees payable to clerks" (Int. No. 691), which was read the first time and referred to the committee on codes.

Mr. Walker introduced a bill entitled "An act to amend the Navigation Law, in relation to pilotage fees for the port of New York" (Int. No. 692), which was read the first time and referred to the committee on commerce and navigation.

Mr. Collin introduced a bill entitled "An act to amend the Highway Law, in relation to county and district superintendents" (Int. No. 693), which was read the first time and referred to the committee on internal affairs.

Mr. Foley introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to telephone companies" (Int. No. 694), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Constantine introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to providing for no close season for blue pike in Lake Ontario" (Int. No. 695), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Carew introduced a bill entitled "An act to amend the Public Health Law, in relation to the use of common drinking cups" (Int. No. 696), which was read the first time and referred to the committee on public health.

Mr. Cheney introduced a bill entitled "An act to amend chapter four hundred and seventy-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the city of Olean,' generally" (Int. No. 697), which was read the first time and referred to the committee on affairs of cities.

Mr. Fry introduced a bill entitled "Concurrent resolution of the Senate and Assembly, to amend section one of article two of the Constitution, in relation to qualification of voters" (Int. No. 698), which was read the first time and referred to the committee on the judiciary.

Mr. Cuvillier introduced a bill entitled "An act to establish a bureau of pensions and to provide for granting pensions to soldiers, sailors and marines, who served in the army or navy of the

United States, from the State of New York, in the Civil War, fixing the rate of pension and regulating the granting thereof" (Int. No. 699), which was read the first time and referred to the committee on ways and means.

Mr. Murray introduced a bill entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section one of article five of the Constitution and the repeal of section two thereof, in relation to election of State officers" (Int. No. 700), which was read the first time and referred to the committee on the judiciary.

Mr. Mòrk introduced a bill entitled "An act to erect the county of the Bronx from the territory now comprised within the limits of the borough of the Bronx in the city of New York as constituted by chapter three hundred and seventy-eight of the Laws of eighteen hundred and ninety-seven and all acts amendatory thereof and supplemental thereto" (Int. No. 701), which was read the first time and referred to the committee on internal affairs.

Mr. Coffey introduced a bill entitled "An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and forty-six, entitled 'An act to authorize the New York and New Haven Railroad Company, to extend their railroad from the Connecticut line to the New York and Harlem railroad,' in regard to rates of fare and otherwise" (Int. No. 702), which was read the first time and referred to the committee on railroads.

Mr. Jackson introduced a bill entitled "An act to amend the Transportation Corporations Law, relative to navigation corporations" (Int. No. 703), which was read the first time and referred to the committee on commerce and navigation.

Mr. A. E. Smith, from the committee on ways and means, to which was recommitted Assembly bill introduced by Mr. Trombly (No. 221, Int. No. 117), entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes," report the following substitute bill:

(See Appendix No. 6.)

and request that said bill, when printed, be recommitted to said committee, which report was agreed to, and said substitute bill ordered printed and recommitted to said committee.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Manley (No. 271, Int. No. 269), entitled 'An act to amend the Insanity Law, relative to wages of certain employees of State hospitals," reported the same with the following amendments:

Page 8, strike out lines 22, 23 and 24 and insert:

KNITTING DEPARTMENT.

	Wages per month			
Position.	Minimum.		Maximum.	
Charge Knitter			[$52.00]	$61.87
Knitters	[$20.00]	$25.00	[$25.00]	$31.25
Loopers	[$20.00]	$25.00	[$25.00]	$31.25
Machine Hands	[$20.00]	$25.00	[$25.00]	$31.25

Increase of wages of knitters, loopers and machine hands from minimum to maximum, shall be at the rate of two dollars per month for each six months of continuous service.

Page 9, line 3, strike out " Stocking Knitter ".

Page 10, between line 5 and 6, insert:

	Maximum.
Blacksmiths	[$62.50] $65.62

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 355, Int. No. 348) introduced by Mr. Huber, entitled 'An act to amend the Code of Civil Procedure, in relation to challenges to jury," reported in favor of the passage of the same, with the following amendments:

On page 2, line 9, strike out the words " or in any manner interested, in " and in their place insert the word " of " in italics.

On page 2, line 13, strike out the word " immediately " and insert in its place the words " September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 94, Int. No. 94) introduced by Mr. McGrath, entitled "An act to amend the Penal Law, in relation

to Sunday baseball," reported in favor of the passage of the same, with the following amendments:

On page 1, line 8, after the word "week" insert in italics the following words: "are prohibited,".

On page 1, line 8, before the word "and" insert bracket "[".

On page 1, line 9, strike out bracket "[" before period "."

On page 1, line 9, strike out the word "public" in italics.

On page 2, line 3, after the word "thereto" insert the following in italics: "No admission fee shall be received directly or indirectly. All noises unreasonably disturbing the peace of the day are prohibited."

On page 2, line 4, strike out the word "immediately" and insert the following: "September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 128, Int. No. 127) introduced by Mr. Murray, entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' with reference to the opening of defaults or dismissals, and vacating judgments and final orders," reported in favor of the passage of the same, with the following amendment:

On page 2, line 13, strike out the word "immediately" and insert in its place the words "September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 290, Int. No. 289) introduced by Mr. Mork, entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to authority to set aside judgments for error in fact," reported in favor of the passage of the same, with the following amendments:

On page 2, line 1, strike out the words "a court of record," and insert in their place the words "the municipal court of the city of New York."

On page 2, line 16, strike out the word "immediately" and insert in its place the words "September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill introduced by Mr. A. J. Levy (No. 115, Int. No. 114), entitled "An act to amend the Penal Law, in relation to permitting labor and secular business on the first day of the week by certain persons," reported the same, with the following amendments:

On page 2, line 3, strike out the words "No person who conscientiously believes that the".

On page 2, strike out all the words on lines 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13.

On page 2, line 3, after the bracket insert the following words in italics: "No person who belongs to a religious faith the members of which observe as a Sabbath or day of rest any other day of the week than the first, and who actually refrains from secular business and labor on such other day, or from sundown on Friday to sundown on Saturday, shall be liable to prosecution for carrying on secular business or performing labor on the first day, provided public worship is not thereby disturbed."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill introduced by Mr. Hearn (No. 99, Int. No. 99), entitled "An act to amend the Penal Law, relative to the sale of tainted food," reported the same, with the following amendment:

On page 2, strike out all the words on lines 1, 2, 3 and 4 and insert in their place the following words in italics: "kept in a cold storage or packed in ice for a period of more than one year shall be presumed to be tainted, spoiled and unfit for use, unless a certificate of inspection by the local health officer is first obtained showing that the same is fit for human food; and any person who sells or offers for sale any such fish, poultry, meats, or

eggs, without having obtained such certificate, is guilty of a misdemeanor. Such local health officer may, without hindrance, enter and examine any building, car, vehicle, premises, or place, within the territory over which he has jurisdiction, where any such enumerated articles of food may be, before or after removal from cold storage, and inspect and examine such articles for the purpose of granting or withholding such certificate. He shall make such examination and inspection whenever required by the dealer in such articles or other person interested in the traffic thereof, and grant such certificate in a proper case, upon payment to him of such reasonable fees as the local board or department of health may fix and determine and subject to such rules and regulations as such board or department may prescribe. Any resistance of, or any wilful act tending to prevent such entrance, inspection or examination shall also be a misdemeanor. Nothing herein contained shall be construed to limit or impair any powers of inspection, or of any entrance to buildings or other places, conferred by any other act on the State Department of Health, or upon any other department, board or officer, whether State or local, in aid of matters within their several jurisdictions."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Goldberg, from the committee on taxation and retrenchment, to which was referred Assembly bill (No. 614, Int. No. 586) introduced by Mr. Goldberg, entitled "An act to exempt the real estate of charitable infant asylum corporations in the State of New York from certain assessments for public improvements," reported in favor of the passage of the same, with the following amendment:

On page 1, line 4, strike out the word "five" and insert in place thereof word "six".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Cosad, from the committee on agriculture, to which was recommitted Assembly bill introduced by Mr. Miller (No. 279, Int. No. 277), entitled 'An act to amend the Agricultural Law, in relation to cider vinegar," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 2, line 4, strike out word "cider".
Page 2, line 5, strike out "by a farmer in state grown on".
Page 2, line 6, strike out entire line.

which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Patrie (No. 428, Int. No. 423), entitled "An act to repeal chapter four hundred and forty-four of the Laws of nineteen hundred and ten, entitled 'An act to establish a public school teachers' retirement fund in Greene county,' and to provide for the distribution of moneys heretofore paid into said fund," reported the same without recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Wende (No. 458, Int. No. 449), entitled "An act to legalize certain acts and proceedings of union free school district number six of the town of West Seneca, in the county of Erie, its voters, board of trustees, officers and agent, in relation to a certain tax voted and raised therein in the year nineteen hundred and ten, and authorizing the distribution of the moneys so raised," reported the same with the following recommendation:

In line 3 of title insert "s" after the word "agent".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Goldberg (No. 604, Int. No. 9), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to pleadings," reported the same with the following recommendations:

In line 8 insert comma after the word "demurrer".
In line 4 of title strike out words "jury fees" and insert word "pleadings".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Ferris	Harden	Pollock	Stilwell	
Cronin	Fiero	Long	Ramsperger	Wagner	
Cullen	Gittins	McClelland	Sanner		14

FOR CHAUNCEY M. DEPEW.

Bussey	Griffith	Ormrod	Sage	Wainwright	
Cobb	Heacock	Rose	Travis	Walters	10

FOR EDWARD M. SHEPARD.

Roosevelt	Saxe	2

FOR MARTIN W. LITTLETON.

Burd	1

FOR M. J. O'BRIEN.

Loomis	1

FOR WILLIAM SULZER.

White	1

FOR J. J. HOPPER.

Duhamel	1

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Hearn	McCue	Patrie	
Boylan	Fitzpatrick	Herrick J J	McElligott	Schifferdecker	
Bush	Foley	Herrick W R	McGrath	Seeley	
Carew	Frisbie	Heyman	McKeon	Sheide	
Caughlan	Gerhardt	Hoey	Monczynski	Smith A E	
Collin	Gillen	Jackson	Neupert	Turley	
Cuvillier	Goldberg	Jameson	Oliver	Warren	
Dawson	Goldstein	LaReau	O'Neill J J	Weil	
Donnelly	Gould	Levy A J	O'Neil M A	Wende	
Egan	Graubard	Manley	Parker A	Zorn	
Farrell	Gregg				5

FOR CHAUNCEY M. DEPEW.

Adler	Cross	Hinman	Phillips J S	Talmage	
Ahern	DeLano	Hoff	Pierce	Thorn	
Allen	Ebbetts	Jones	Shannon	Ward	
Brereton	Filley	Keys	Shea	Waring	
Brooks	Goodwin	Lansing	Shepardson	Waters F A	
Bryant	Gray	Lincoln	Shlivek	White	
Cheney	Haines	MacGregor	Smith T K	Wilson	
Coffey	Hammond	Murray	Stivers	Winters	
Colné	Hart	Nolan	Sullivan	Yeomans	
Connell	Higgins	Parker J S	Sweet	Young	
Constantine					51

FOR EDWARD M. SHEPARD.

Beach	Cosad	Friedman	Shortt	Trombly	
Brace	Drummond	Fry	Terry	Wheeler	
Chanler	Evans	Huber			13

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN W. LITTLETON.

Hollmann Hoyt 2

FOR MARTIN H. GLYNN.

Saunders 1

FOR WILLIAM SULZER.

Kennedy Myers 2

FOR J. J. HOPPER.

O'Connor 1

FOR JOHN N. CARLISLE.

Day 1

FOR JOHN D. KERNAN.

Bridenbecker 1

Whole number of votes cast..... 154
Necessary to a choice 78

	Senators.	Assemblymen.	Total.
For William F. Sheehan	14	52	66
For Chauncey M. Depew	9	51	60
For Edward M. Shepard	2	13	15
For Alton B. Parker	0	1	1
For Martin W. Littleton	1	2	3
For Martin H. Glynn	0	1	1
For John W. Kernan	0	1	1

	Senators.	Assemblymen.	Total.
For M. J. O'Brien	1	0	1
For William Sulzer	1	2	3
For J. J. Hopper	1	1	2
For John N. Carlisle	0	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew, whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint Assembly took a recess until Friday, February 24th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Friday, February 24th, at 12 o'clock noon in the Assembly Chamber.

The Senate bill (No. 61, Rec. No. 1) entitled "An act authorizing the extension of the term of corporate existence of the Masonic Building Association, and authorizing the trustees and stockholders of the said Masonic Building Association to execute and file and have recorded a certificate or certificates of extension of the time of the corporate existence thereof, and legalizing certain of the acts, transactions and proceedings of said Masonic Building Association, its officers, trustees and stockholders," was read the second time.

On motion of Mr. A. J. Levy, said bill was placed on the order of third reading.

On motion of Mr. A. J. Levy, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	McGrath	Shlivek	
Ahern	Donnelly	Herrick J J	McKeon	Shortt	
Allen	Drummond	Herrick W R	Miller	Stivers	
Beach	Ebbetts	Heyman	Monczynski	Sullivan	
Blauvelt	Egan	Higgins	Murray	Sweet	
Boylan	Evans	Hinman	Myers	Talmage	
Brace	Farrell	Hoey	Neupert	Terry	
Brereton	Fay	Hoff	Nolan	Thorn	
Bridenbecker	Filley	Hollmann	Oliver	Trombly	
Brooks	Fitzpatrick	Hoyt	O'Neill J J	Turley	
Bryant	Foley	Huber	O'Neil M A	Ward	
Bush	Friedman	Jackson	Pappert	Waring	
Carew	Fry	Jameson	Parker A	Warren	
Caughlan	Gerhardt	Jones	Parker J S	Waters F A	
Chanler	Gillen	Kennedy	Patrie	Weil	
Cheney	Goldberg	Keys	Phillips J S	Wende	
Coffey	Goldstein	Lansing	Pierce	Wheeler	
Collin	Gould	LaReau	Saunders	White	
Colne	Graubard	Levy A J	Schifferdecker	Wilson	
Constantine	Gray	MacGregor	Seeley	Winters	
Cosad	Gregg	Manley	Shannon	Yale	
Cross	Gurnett	Martin	Shea	Yeomans	
Cuvillier	Haines	McCue	Sheide	Young	
Dawson	Hart	McDaniels	Shepardson	Zorn	
Day	Hammond	McElligott			123

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 357, Int. No. 350) entitled "An act to amend the State Charities Law, in relation to estimates," was read the second time.

On motion of Mr. A. J. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 298, Int. No. 297) entitled "An act to incorporate 'The Pelham Firemen's Association' of the town of Pelham, New York," was read the second time.

On motion of Mr. Coffey, said bill was placed on the order of third reading.

On motion of Mr. Coffey, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	McGrath	Shlivek
Ahern	Donnelly	Herrick J J	McKeon	Shortt
Allen	Drummond	Herrick W R	Miller	Stivers
Beach	Ebbetts	Heyman	Monczynski	Sullivan
Blauvelt	Egan	Higgins	Murray	Sweet
Boylan	Evans	Hinman	Myers	Talmage
Brace	Farrell	Hoey	Neupert	Terry
Brereton	Fay	Hoff	Nolan	Thorn
Bridenbecker	Filley	Hollmann	Oliver	Trombly
Brooks	Fitzpatrick	Hoyt	O'Neill J J	Turley
Bryant	Foley	Huber	O'Neil M A	Ward
Bush	Friedman	Jackson	Pappert	Waring
Carew	Fry	Jameson	Parker A	Warren
Caughlan	Gerhardt	Jones	Parker J S	Waters F A
Chanler	Gillen	Kennedy	Patrie	Weil
Cheney	Goldberg	Keys	Phillips J S	Wende
Coffey	Goldstein	Lansing	Pierce	Wheeler
Collin	Gould	LaReau	Saunders	White
Colné	Graubard	Levy A J	Schifferdecker	Wilson
Constantine	Gray	MacGregor	Seeley	Winters
Cosad	Gregg	Manley	Shannon	Yale
Cross	Gurnett	Martin	Shea	Yeomans
Cuvillier	Haines	McCue	Sheide	Young
Dawson	Hart	McDaniels	Shepardson	Zorn
Day	Hammond	McElligott		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 364, Int. No. 357) entitled "An act to make the office of county clerk of the county of Delaware a salaried office, and regulating the management of said office and fixing the salary of said clerk and his assistants," was read the second time.

On motion of Mr. Wheeler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 442, Int. No. 433) entitled "An act to amend chapter forty-two of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of Cortland county a salaried office and to regulate the management of said office,' in relation to certain expenses of the sheriff," was read the second time.

On motion of Mr. Brown, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 443, Int. No. 434) entitled "An act to amend the Military Law, in relation to the militia of the State," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 444, Int. No. 435) entitled "An act to amend the Military Law, in relation to the National Guard of the State," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 447, Int. No. 438) entitled "An act to amend the Military Law, in relation to military courts," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 450, Int. No. 441) entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 452, Int. No. 443) entitled "An act to amend the Military Law, in relation to miscellaneous provisions," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 42, Int. No. 42) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Leroy Crawford against the State for damages alleged to have been sustained by him by reason of the appropriation of the lands of Mary L. Fisher, in the county of Herkimer, by the forest purchasing board for Adirondack park purposes, and to render judgment therefor," having been announced for a second reading,

On motion of Mr. J. S. Phillips, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 451, Int. No. 442) entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 564, Int. No. 547) entitled "An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificates," was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 486, Int. No. 474) entitled "An act to amend the Tonawanda city charter, generally, and to repeal section five of title two of such charter," was read the second time.

On motion of Mr. MacGregor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 432, Int. No. 427) entitled "An act to ratify, confirm and legalize the proceedings of the village of Bloomingdale in the county of Essex in the matter of the issuance, sale and award of its bonds in the amount of fifteen thousand dollars for the purpose of supplying said village and its inhabitants with pure and wholesome water, to legalize said bonds and to provide for the payment of the interest and principal thereof," was read the second time.

On motion of Mr. Shea, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 576, Int. No. 226) entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' generally," was read the second time.

On motion of Mr. Stivers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 68, Int. No. 69) entitled "An act to authorize the city of Hudson to borrow money for street improvements, and to issue the bonds of the city therefor," was read the second time.

On motion of Mr. Saunders, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 12, Int. No. 12) entitled "An act to amend the Greater New York charter, relative to the powers and duties of the commissioner of street cleaning," was read the second time.

On motion of Mr. Hackett, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 518, Int. No. 503) entitled "An act to amend the Transportation Corporations Law, in relation to stage routes and extensions," was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 517, Int. No. 502) entitled "An act to amend the Greater New York charter, in regard to stage routes," was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 632, Int. No. 227) entitled "An act to amend chapter three hundred and eighty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the city of Cohoes to borrow money for the purpose of better equipping its fire department, and to issue and sell its bonds for the money so borrowed, and to provide for raising money by taxation in said city for the redemption of said bonds and the payment of interest thereon,' in relation to the rate of interest on bonds to be issued thereunder, authorizing the common council to amend a resolution heretofore passed in respect to the rate of interest, and ratifying and confirming the action of the city, its common council, officers and agents in respect to proceedings leading up to and including the passage of such resolution," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	McGrath	Shlivek
Ahern	Donnelly	Herrick J J	McKeon	Shortt
Allen	Drummond	Herrick W R	Miller	Stivers

Beach	Ebbetts	Heyman	Monczynski	Sullivan
Blauvelt	Egan	Higgins	Murray	Sweet
Boylan	Evans	Hinman	Myers	Talmage
Brace	Farrell	Hoey	Neupert	Terry
Brereton	Fay	Hoff	Nolan	Thorn
Bridenbecker	Filley	Hollmann	Oliver	Trombly
Brooks	Fitzpatrick	Hoyt	O'Neil J J	Turley
Bryant	Foley	Huber	O'Neil M A	Ward
Bush	Friedman	Jackson	Pappert	Waring
Carew	Fry	Jameson	Parker A	Warren
Caughlan	Gerhardt	Jones	Parker J S	Waters F A
Chanler	Gillen	Kennedy	Patrie	Weil
Cheney	Goldberg	Keys	Phillips J S	Wende
Coffey	Goldstein	Lansing	Pierce	Wheeler
Collin	Gould	LaReau	Saunders	White
Colné	Graubard	Levy A J	Schifferdecker	Wilson
Constantine	Gray	MacGregor	Seeley	Winters
Cosad	Gregg	Manley	Shannon	Yale
Cross	Gurnett	Martin	Shea	Yeomans
Cuvillier	Haines	McCue	Sheide	Young
Dawson	Hart	McDaniels	Shepardson	Zorn
Day	Hammond	McElligott		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 633, Int. No. 267) entitled "An act to amend chapter three hundred and ninety-two of the Laws of nineteen hundred and two, entitled 'An act to authorize the common council of the city of Cohoes to borrow money by the issuing of bonds for the improvement of the quality and quantity of the present water supply, and the procuring of an additional supply of pure and wholesome water for said city,' in relation to the rate of interest on bonds to be issued thereunder, authorizing the common council to amend a resolution heretofore passed in respect to the rate of such interest, and ratifying and confirming the action of the city, its common council, board of water commissioners, officers and agents in respect to proceedings leading up to and including the passage of such resolution," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	McGrath	Shlivek
Ahern	Donnelly	Herrick J J	McKeon	Shortt
Allen	Drummond	Herrick W R	Miller	Stivers
Beach	Ebbetts	Heyman	Monczynski	Sullivan
Blauvelt	Egan	Higgins	Murray	Sweet
Boylan	Evans	Hinman	Myers	Talmage
Brace	Farrell	Hoey	Neupert	Terry
Brereton	Fay	Hoff	Nolan	Thorn
Bridenbecker	Filley	Hollmann	Oliver	Trombly
Brooks	Fitzpatrick	Hoyt	O'Neill J J	Turley
Bryant	Foley	Huber	O'Neil M A	Ward
Bush	Friedman	Jackson	Pappert	Waring
Carew	Fry	Jameson	Parker A	Warren
Caughlan	Gerhardt	Jones	Parker J S	Waters F A
Chanler	Gillen	Kennedy	Patrie	Weil
Cheney	Goldberg	Keys	Phillips J S	Wende
Coffey	Goldstein	Lansing	Pierce	Wheeler
Collin	Gould	LaReau	Saunders	White
Colné	Graubard	Levy A J	Schifferdecker	Wilson
Constantine	Gray	MacGregor	Seeley	Winters
Cosad	Gregg	Manley	Shannon	Yale
Cross	Gurnett	Martin	Shea	Yeomans
Cuvillier	Haines	McCue	Sheide	Young
Dawson	Hart	McDaniels	Shepardson	Zorn
Day	Hammond	McElligott		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 609, Int. No. 424) entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the selection of grand jurors," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	McGrath	Shlivek
Ahern	Donnelly	Herrick J J	McKeon	Shortt
Allen	Drummond	Herrick W R	Miller	Stivers

Beach	Ebbetts	Heyman	Monczynski	Sullivan
Blauvelt	Egan	Higgins	Murray	Sweet
Boylan	Evans	Hinman	Myers	Talmage
Brace	Farrell	Hoey	Neupert	Terry
Brereton	Fay	Hoff	Nolan	Thorn
Bridenbecker	Filley	Hollmann	Oliver	Trombly
Brooks	Fitzpatrick	Hoyt	O'Neill J J	Turley
Bryant	Foley	Huber	O'Neil M A	Ward
Bush	Friedman	Jackson	Pappert	Waring
Carew	Fry	Jameson	Parker A	Warren
Caughlan	Gerhardt	Jones	Parker J S	Waters F A
Chanler	Gillen	Kennedy	Patrie	Weil
Cheney	Goldberg	Keys	Phillips J S	Wende
Coffey	Goldstein	Lansing	Pierce	Wheeler
Collin	Gould	LaReau	Saunders	White
Colné	Graubard	Levy A J	Schifferdecker	Wilson
Constantine	Gray	MacGregor	Seeley	Winters
Cosad	Gregg	Manley	Shannon	Yale
Cross	Gurnett	Martin	Shea	Yeomans
Cuvillier	Haines	McCue	Sheide	Young
Dawson	Hart	McDaniels	Shepardson	Zorn
Day	Hammond	McElligott		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 608, Int. No. 452) entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and sixty-six, entitled 'An act to establish and incorporate the Drew Seminary and Female College,' in relation to providing for changing the number of trustees," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	McGrath	Shlivek
Ahern	Donnelly	Herrick J J	McKeon	Shortt
Allen	Drummond	Herrick W R	Miller	Stivers
Beach	Ebbetts	Heyman	Monczynski	Sullivan
Blauvelt	Egan	Higgins	Murray	Sweet
Boylan	Evans	Hinman	Myers	Talmage
Brace	Farrell	Hoey	Neupert	Terry
Brereton	Fay	Hoff	Nolan	Thorn
Bridenbecker	Filley	Hollmann	Oliver	Trombly
Brooks	Fitzpatrick	Hoyt	O'Neill J J	Turley
Bryant	Foley	Huber	O'Neil M A	Ward
Bush	Friedman	Jackson	Pappert	Waring

Carew	Fry	Jameson	Parker A	Warren
Caughlan	Gerhardt	Jones	Parker J S	Waters F A
Chanler	Gillen	Kennedy	Patrie	Weil
Cheney	Goldberg	Keys	Phillips J S	Wende
Coffey	Goldstein	Lansing	Pierce	Wheeler
Collin	Gould	LaReau	Saunders	White
Colne	Graubard	Levy A J	Schifferdecker	Wilson
Constantine	Gray	MacGregor	Seeley	Winters
Cosad	Gregg	Manley	Shannon	Yale
Cross	Gurnett	Martin	Shea	Yeomans
Cuvillier	Haines	McCue	Sheide	Young
Dawson	Hart	McDaniels	Shepardson	Zorn
Day	Hammond	McElligott		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. LaReau offered for the consideration of the House a resolution, in the words following:

Resolved, That one thousand additional copies of Assembly bill (No. 578), entitled "An act to provide a commission form of government for Buffalo, New York, on the Des Moines plan," be printed for the use of the Assembly.

which was referred to the committee on public printing.

Mr. Sullivan offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 73, Int. No. 74), entitled "An act to legalize, ratify and confirm the proceedings of the village of Cherry Creek in the county of Chautauqua, in the matter of raising the sum of thirty thousand dollars for the construction of a pressure water system for said village; to legalize, ratify and confirm the sale and issuance of the bonds of said village in the amount of twenty-five thousand dollars of said sum; to authorize the sale and issuance of the bonds of said village for the balance thereof; and to provide for the payment of the interest and principal of said bonds," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 280, Int. No. 278), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to salaries," with a

message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

The Senate returned the bill (No. 4, Int. No. 4), entitled "An act to amend chapter one hundred and seventy-six of the Laws of nineteen hundred and five, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon, and authorizing such city to raise money therefor by the issue of bonds,' " with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

The Senate returned the bill (No. 113, Int. No. 112), entitled "An act to validate certain bonds of the city of Jamestown," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Jamestown.

The Senate returned the bill (No. 76, Int. No. 5), entitled "An act relating to the repaving of West Lincoln avenue and West First street, as widened, from Eleventh avenue to the New York city line, in the city of Mount Vernon," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

The Senate returned the bill (No. 305, Int. No. 306), entitled "An act to authorize the Maple Grove Cemetery Association of Worcester, Otsego county, New York, to accept a gift or bequest for the purpose of caring for a certain cemetery lot situate without the boundaries of the cemetery of such association," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 73, Int. No. 74), entitled "An act to legalize, ratify and confirm

the proceedings of the village of Cherry Creek in the county of Chautauqua, in the matter of raising the sum of thirty thousand dollars for the construction of a pressure water system for said village; to legalize, ratify and confirm the sale and issuance of the bonds of said village in the amount of twenty-five thousand dollars of said sum; to authorize the sale and issuance of the bonds of said village for the balance thereof; and to provide for the payment of the interest and principal of said bonds," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. Abram Harrison, mayor of the city of Johnstown, returning Assembly bill (No. 160, Int. No. 159), entitled "An act to legalize, ratify and confirm the sale and issuance of the bonds of the city of Johnstown in the aggregate amount of fifteen thousand dollars, and to provide for the payment of the principal and interest of the same," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. A. E. Smith, the House adjourned until Friday, February 24th, at 11:30 A. M.

FRIDAY, FEBRUARY 24, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter two hundred and ninety of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of supervisor in the county of Oswego a salaried office,' in relation to compensation and mileage of supervisors in such county" (No. 131, Rec. No. 19), which was read the first time and referred to the committee on internal affairs.

Mr. Chanler introduced a bill entitled "An act to revive an act inadvertently repealed by chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester'" (Int. No. 704), which was read the first time and referred to the committee on affairs of cities.

Mr. Cuvillier introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section three of article two of the Constitution, in relation to the qualification of certain voters" (Int. No. 705), which was read the first time and referred to the committee on the judiciary.

Mr. Foley introduced a bill entitled "An act to amend the Greater New York charter, in relation to pensions to members of the police force" (Int. No. 706), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter six hundred and seventy of the Laws of nineteen hundred and six, entitled 'An act to establish a new State prison in the eastern part of the State to take the place of Sing Sing prison; to authorize the Governor to appoint a commission to select and purchase a site,' relative to the appointment and removal of members of the State Prison Commission" (Int. No. 707), which was read the first time and referred to the committee on ways and means.

Mr. Gerhardt introduced a bill entitled "An act permitting the reimbursement to owners of property assessed for the opening of certain streets and avenues in the twenty-third ward, borough of the Bronx, city of New York, for damage by reason of the closing thereof on maps filed pursuant to resolutions of the board of estimate and apportionment of the city of New York, adopted on the twenty-sixth day of May, nineteen hundred and five, and seventh day of June, nineteen hundred and seven, respectively" (Int. No. 708), which was read the first time and referred to the committee on affairs of cities.

Mr. Goodwin introduced a bill entitled "An act to set over and cede land to the village of Port Chester, New York, and to authorize the said village to lay out one or more highways thereover and thereon and to issue bonds of the village to pay a part or proportion of the expense of opening and laying out

of the said highways, and to authorize the board of trustees of the said village to fix and establish an assessment district on which the balance of such expense will be imposed" (Int. No. 709), which was read the first time and referred to the committee on affairs of villages.

Mr. Hammond introduced a bill entitled "An act to amend the Railroad Law, in relation to the condemnation of real property in cities" (Int. No. 710), which was read the first time and referred to the committee on railroads.

Mr. W. R. Herrick introduced a bill entitled "An act to amend the Insurance Law, in relation to the powers of title guaranty corporations" (Int. No. 711), which was read the first time and referred to the committee on insurance.

Mr. Higgins introduced a bill entitled "An act to authorize the board of assessors of the city of New York to determine and allow the damage sustained by owners of real property in the borough of Manhattan, city of New York, by reason of the construction of lateral driveways to connect the grade of One Hundred and Forty-fifth street with the grade of Riverside drive" (Int. No. 712), which was read the first time and referred to the committee on affairs of cities.

Mr. Hoey introduced a bill entitled "An act to create a commission to inquire into the extent and nature of the practice of experimentation on living animals, and the condition of the laws of the State relative to the proper protection of scientific experiments without danger of unnecessary cruelty" (Int. No. 713), which was read the first time and referred to the committee on public health.

Mr. McCue introduced a bill entitled "An act to amend the Agricultural Law, in relation to manufacture and sale of spirits of turpentine, turpentine, and linseed and flaxseed oil" (Int. No. 714), which was read the first time and referred to the committee on agriculture.

Also, "An act to amend the Penal Law, in relation to trade names and designations" (Int. No. 715), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Greater New York charter, in relation to revocation of auctioneers' licenses" (Int. No. 716),

which was read the first time and referred to the committee on affairs of cities.

Mr. McGrath introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the jurisdiction of the city court of the city of New York" (Int. No. 717), which was read the first time and referred to the committee on codes.

Mr. M. A. O'Neil introduced a bill entitled "An act to amend sections seven hundred and fifteen, ten hundred and fifteen, nineteen hundred and forty-seven, twenty-seven hundred and twenty-five and twenty-seven hundred and twenty-eight of the Code of Civil Procedure, by adding matter relating to accountants" (Int. No. 718), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Municipal Court Act of New York city by increasing the jurisdiction of the said court" (Int. No. 719), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Banking Law, relative to reports" (Int. No. 720), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Banking Law, relative to meetings of directors or trustees and reports thereto" (Int. No. 721), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Penal Law, relative to misconduct of officers, directors, trustees or employees of banking corporations" (Int. No. 722), which was read the first time and referred to the committee on codes.

Mr. A. Parker introduced a bill entitled "An act to amend the Banking Law, relative to loans to officers, directors, clerks or agents of corporations subject to the Banking Law, or to corporations controlled by such officers, directors, clerks or agents" (Int. No. 723), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Banking Law, relative to oaths of trustees of savings banks and vacancies in the office of trustee" (Int. No. 724), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Penal Law, relative to misconduct by directors or trustees of moneyed corporations" (Int. No. 725), which was read the first time and referred to the committee on codes.

Mr. A. E. Smith introduced a bill entitled "An act to amend the General Business Law, in relation to weights, measures and containers, and to repeal section two hundred and sixty-three of the Agricultural Law" (Int. No. 726), which was read the first time and referred to the committee on general laws.

Mr. T. K. Smith introduced a bill entitled "An act creating the office of keeper of the county home in the county of Onondaga, and prescribing his powers and duties" (Int. No. 727), which was read the first time and referred to the committee on internal affairs.

Mr. Cosad introduced a bill entitled "An act to amend the Village Law, in relation to the powers of the board of cemetery commissioners to make assessments upon lots for the care thereof, and to sell the unoccupied portions of such lots for payment of such unpaid assessments" (Int. No. 728), which was read the first time and referred to the committee on affairs of villages.

Mr. Martin introduced a bill entitled "An act to amend the Agricultural Law, in relation to the manufacture and sale of oleomargarine, butterine and other similar products, not made from pure milk or cream of the same, and to provide for a license fee to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, bakeries, restaurants, dining-rooms and boarding-houses" (Int. No. 729), which was read the first time and referred to the committee on agriculture.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Cuvillier (No. 452, Int. No. 443), entitled "An act to amend the Military Law, in relation to miscellaneous provisions."

Also, the bill introduced by Mr. Saunders (No. 68, Int. No. 69), entitled "An act to authorize the city of Hudson to borrow money for street improvements, and to issue the bonds of the city therefor."

Also, the bill introduced by Mr. MacGregor (No. 486, Int. No. 474), entitled "An act to amend the Tonawanda city charter, generally, and to repeal section five of title two of such charter."

Also, the bill introduced by Mr. Wheeler (No. 364, Int. No. 357), entitled "An act to make the office of county clerk of the county of Delaware a salaried office, and regulating the management of said office and fixing the salary of said clerk and his assistants."

Also, the bill introduced by Mr. Cuvillier (No. 450, Int. No. 441), entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties."

Also, the bill introduced by Mr. Cuvillier (No. 451, Int. No. 442), entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties."

Also, the bill introduced by Mr. Cuvillier (No. 447, Int. No. 438), entitled "An act to amend the Military Law, in relation to military courts."

Also, the bill introduced by Mr. A. J. Levy (No. 357, Int. No. 350), entitled "An act to amend the State Charities Law, in relation to estimates."

Also, the bill introduced by Mr. Brown (No. 442, Int. No. 433), entitled "An act to amend chapter forty-two of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of Cortland county a salaried office and to regulate the management of said office,' in relation to certain expenses of the sheriff."

Also, the bill introduced by Mr. Shea (No. 432, Int. No. 427), entitled "An act to ratify, confirm and legalize the proceedings of the village of Bloomingdale in the county of Essex in the matter of issuance, sale and award of its bonds in the amount of fifteen thousand dollars for the purpose of supplying said village and its inhabitants with pure and wholesome water, to legalize said bonds and to provide for the payment of the interest and principal thereof."

Also, the bill introduced by Mr. Cuvillier (No. 444, Int. No. 435), entitled "An act to amend the Military Law, in relation to the National Guard of the State."

Also, the bill introduced by Mr. Hoey (No. 518, Int. No. 503), entitled "An act to amend the Transportation Corporations Law, in relation to stage routes and extensions."

Also, the bill introduced by Mr. Cuvillier (No. 443, Int. No. 434), entitled "An act to amend the Military Law, in relation to the militia of the State," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Hoey (No. 564, Int. No. 547), entitled "An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificates," reported the same with the following recommendation:

On page 1, line 10, insert comma after " trusteees ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Hoey (No. 517, Int. No. 502), entitled "An act to amend the Greater New York charter, in regard to stage routes," reported the same with the following recommendation:

On page 1, line 9, insert " route " after " stage ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Hackett (No. 12, Int. No. 12), entitled "An act to amend the Greater New York charter, relative to the powers and duties of the commissioner of street cleaning," reported the same with the following recommendations:

On page 2, line 13, insert " the " before " city ".
On page 3, line 17, insert comma after " dust ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Stivers (No. 576, Int. No. 226), entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' generally," reported the same with the following recommendations:

On page 8, line 7, change " each " to " said ".
On page 8, line 8, change " said " to " each ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Graubard offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed during the session for the use of the Assembly five hundred additional copies of each general bill of the Assembly as designated by the Clerk.

which was referred to the committee on public printing.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Cullen	Ferris	Fiero	Gittins	Wagner	5

FOR CHAUNCEY M. DEPEW.

Bussey	1

FOR M. J. O'BRIEN.

Loomis	1

FOR WILLIAM SULZER.

White	1

FOR EDWARD M. SHEPARD.

Roosevelt	1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Allen with Mr. Bayne; Mr. Argetsinger with Mr. Frawley; Mr. Coats with Mr. Hardin; Mr. Cobb with Mr. Hart; Mr. Emerson with Mr. Black; Mr. Griffith with Mr. Burd; Mr. Hamilton with Mr. Griffin; Mr. Heacock with Mr. Cronin; Mr. Hewitt with Mr. Murtaugh; Mr. Hinman with Mr. O'Brien; Mr. Ormrod with Mr. Long; Mr. Platt with Mr. McClelland; Mr. Rose with Mr. Pollock; Mr. Sage with Mr. Ramsperger; Mr. Thomas with Mr. Sanner; Mr. Travis

with Mr. C. D. Sullivan; Mr. Wainwright with Mr. T. D. Sullivan; Mr. Walters with Mr. Stilwell.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows.

FOR WILLIAM F. SHEEHAN.

Bush	Frisbie	Graubard	Oliver	Smith A E	
Cuvillier					6

FOR CHAUNCEY M. DEPEW.

Lansing	Waters F A	White			3

FOR EDWARD M. SHEPARD.

Beach	Evans	Fry	Shortt	Wheeler	
Cosad	Friedman	Martin	Terry		9

FOR MARTIN W. LITTLETON.

Hollmann	Hoyt				2

FOR MARTIN H. GLYNN.

Saunders					1

FOR JOHN D. KERNAN.

Bridenbecker					1

FOR WILLIAM SULZER.

Myers					1

FOR J. J. HOPPER.

O'Connor					1

When the roll was called the following pairs were announced:

Mr. Colne with Mr. Gerken; Mr. McDonald with Mr. Gerhardt; Mr. T. K. Smith with Mr. Caughlan; Mr. Shannon with Mr. Seeley; Mr. Sullivan with Mr. Neupert; Mr. Winters with Mr. Carew; Mr. Ward with Mr. Egan; Mr. DeLano with Mr. Jackson; Mr. Cheney with Mr. Turley; Mr. Gray with Mr. McElligott; Mr. Hart with Mr. Goldstein; Mr. Ebbets with Mr. Donnelly; Mr. Brooks with Mr. A. J. Levy; Mr. Higgins with Mr. Boylan; Mr. Shepardson with Mr. Patrie; Mr. Filley with Mr. Heyman; Mr. J. S. Phillips with Mr. Wende; Mr. Young with Mr. Warren; Mr. Stivers with Mr. Fay; Mr. Wilson with Mr. Collin; Mr. Hammond with Mr. Brennan; Mr. Brereton with Mr. Dawson; Mr. Hackett with Mr. R. B. Waters; Mr. C. W. Phillips with Mr. Weil; Mr. Goodman with Mr. Mork;

Mr. Yale with Mr. Gurnett; Mr. Pappert with Mr. Schifferdecker; Mr. Coffey with Mr. J. J. O'Neill; Mr. J. S. Parker with Mr. W. R. Herrick; Mr. Allen with Mr. Manley; Mr. MacGregor with Mr. McCue; Mr. Ahern with Mr. Jameson; Mr. Thorn with Mr. Monczynski; Mr. Goodwin with Mr. Hoey; Mr. Pierce with Mr. Gould; Mr. Murray with Mr. Foley; Mr. Connell with Mr. Farrell; Mr. Sweet with Mr. Hearn; Mr. Nolan with Mr. Gillen; Mr. Talmage with Mr. Sheide; Mr. Cross with Mr. Zorn; Mr. Constatntine with Mr. LaReau; Mr. Hoff with Mr. M. A. O'Neil; Mr. Bryant with Mr. J. J. Herrick; Mr. Haines with Mr. McGrath; Mr. Adler with Mr. Blauvelt; Mr. Jones with Mr. Gregg; Mr. Shiver with Mr. Goldberg; Mr. A. Parker with Mr. Hinman; Mr. Kopp with Mr. Geatons.

Whole number of votes cast..... 33

	Senators.	Assemblymen.	Total.
For William F. Sheehan	5	6	11
For Chauncey M. Depew	1	3	4
For Edward M. Shepard	1	9	10
For Martin W. Littleton.....	0	2	2
For Martin H. Glynn.....	0	1	1
For John W. Kernan.....	0	1	1
For M. J. O'Brien.....	1	0	1
For William Sulzer	1	1	2
For J. J. Hopper.....	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Cullen, the joint assembly took a recess until Saturday, February 25th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet

Saturday, February 25th, at 12 o'clock noon in the Assembly Chamber.

The Senate returned the bill (No. 111, Int. No. 110), entitled "An act to provide for the submission of a proposition to the taxpayers of the village of Silver Creek to determine whether the expense, within certain limits, of maintaining a building for public purposes to be conveyed to the Silver Creek Memorial Association, herein incorporated, shall be borne by said village, and to regulate the management and control of said building," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. A. E. Smith, the House adjourned until Saturday, February 25th, at 11:30 o'clock A. M.

SATURDAY, FEBRUARY 25, 1911.

The House met pursuant to adjournment.

Prayer by Rev. H. Clark Colebrook.

On motion of Mr. Bush, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the State Board of Managers of Reformatories, which was laid upon the table and ordered printed.

(See Assembly Document No. 35.)

Also, the annual report of the New York State Commission on Distribution of Population, which was laid upon the table and ordered printed.

(See Assembly Document No. 34.)

Mr. Cuvillier introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to regulation respecting judgment in actions for divorce" (Int. No. 730), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Domestic Relations Law, in relation to marriage after divorce for adultery" (Int. No. 731), which was read the first time and referred to the committee on general laws.

Mr. O'Connor introduced a bill entitled "An act to amend the Insurance Law, in relation to certificates of authority to be issued to insurance companies and agents" (Int. No. 732), which was read the first time and referred to the committee on insurance.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to repeal chapter four hundred and forty-four of the Laws of nineteen hundred and ten, entitled 'An act to establish a public school teachers' retirement fund in Greene county,' and to provide for the distribution of moneys heretofore paid into said fund." (No. 428, Int. No. 423.)

"An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to pleadings." (No. 726, Int. No. 9.)

"An act to amend the Military Law, in relation to privileges, prohibitions and penalties." (No. 450, Int. No. 441.)

"An act to amend the Tonawanda city charter, generally, and to repeal section five of title two of such charter." (No. 486, Int. No. 474.)

"An act to make the office of county clerk of the county of Delaware a salaried office, and regulating the management of said office and fixing the salary of said clerk and his assistants." (No. 364, Int. No. 357.)

"An act to legalize certain acts and proceedings of union free school district number six of the town of West Seneca, in the county of Erie, its voters, board of trustees, officers and agents, in relation to a certain tax voted and raised therein in the year nineteen hundred and ten, and authorizing the distribution of the moneys so raised." (No. 725, Int. No. 449.)

Mr. O'Connor offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on insurance be discharged from the further consideration of the bill (No. 61, Int. No. 62), entitled "An act to amend the Insurance Law, in relation to forfeiture of policy without notice."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. O'Connor moved to amend as follows:

Page 1, line 9, strike out the bracket before " and ".

Page 1, line 10, strike out the bracket after " or ".

Page 2, line 15, after " payable " insert in italics the following: " No policy of life insurance, issued by a corporation doing business in this State, whereon the premiums are payable weekly or monthly, shall be forfeited or lapsed for non-payment of one or more premiums, or installment of either, or interest, as the case may be, unless a written or printed notice stating the amount to become due and the place where and person to whom the same shall be payable, shall have previously been mailed to the insured, or to the assignee of the policy if notice of the assignment has been given to the insurer corporation, in the manner above prescribed for other policies, or served personally on such insured or assignee or left at his usual place of abode, not later than one week preceding the last day of which, according to the contract of insurance, such premium or premiums must be paid in order to save a forfeiture or lapsing of the policy ".

Page 2, line 21, inclose with brackets the word " If "and insert in italics before " the " the following: " In the case of policies other than those on which the premiums are payable monthly or weekly, if ".

Page 3, line 3, after " mailed " insert in italics the following: " or served, as the case may be,".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. O'Connor, said bill was ordered reprinted and recommitted to said committee.

Mr. Hollmann offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 58, Int. No. 59), entitled "An act to legalize the establishment of the Roslyn water district in the town of North Hempstead, and the issuance and sale of the bonds of said town to install a water plant in said district, and to provide for the payment of said bonds," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. White offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 283, Int. No. 281), entitled "An act to ratify, confirm and legalize the proceedings of the town of Irondequoit in the county of Monroe, had and taken in the matter of the establishment of a water district in said town; the sale, award and issuance of the bonds of said town to pay for the cost of constructing a water system in said water district; and to provide for the payment of said bonds," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The presiding officer of the Senate presiding.

The presiding officer directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Ferris	Fiero	Gittins	3

FOR EDWARD M. SHEPARD.

Roosevelt	1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Allen with Mr. Bayne; Mr. Argetsinger with Mr. Frawley; Mr. Coats with Mr. Hardin; Mr. Cobb with Mr. Hart; Mr. Emerson with Mr. Black; Mr. Griffith with Mr. Burd; Mr. Hamilton with Mr. Griffin; Mr. Heacock with Mr. Cronin; Mr. Hewitt with Mr. Murtaugh; Mr. Hinman with Mr. O'Brien; Mr. Ormrod with Mr. Long; Mr. Platt with Mr. McClelland; Mr. Rose with Mr. Pollock; Mr. Sage with Mr. Ramsperger; Mr. Thomas with Mr. Sanner; Mr. Travis with

Mr. C. D. Sullivan; Mr. Wainwright with Mr. T. D. Sullivan; Mr. Walters with Mr. Stilwell; Mr. Bussey with Mr. Cullen; Mr. Newcomb with Mr. McManus.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bush	Frisbie	2

FOR EDWARD M. SHEPARD.

Shortt	1

FOR MARTIN W. LITTLETON.

Hollmann	1

FOR J. J. HOPPER.

O'Connor	1

When the roll was called the following pairs were announced:

Mr. Colne with Mr. Gerken; Mr. McDonald with Mr. Gerhardt; Mr. T. K. Smith with Mr. Caughlan; Mr. Shannon with Mr. Seeley; Mr. Sullivan with Mr. Neupert; Mr. Winters with Mr. Carew; Mr. Ward with Mr. Egan; Mr. DeLano with Mr. Jackson; Mr. Cheney with Mr. Turley; Mr. Gray with Mr. McElligott; Mr. Hart with Mr. Goldstein; Mr. Ebbets with Mr. Donnelly; Mr. Brooks with Mr. A. J. Levy; Mr. Higgins with Mr. Boylan; Mr. Shepardson with Mr. Patrie; Mr. Filley with Mr. Heyman; Mr. J. S. Phillips with Mr. Wende; Mr. Young with Mr. Warren; Mr. Stivers with Mr. Fay; Mr. Wilson with Mr. Collin; Mr. Hammond with Mr. Brennan; Mr. Brereton with Mr. Dawson; Mr. Hackett with Mr. R. B. Waters; Mr. C. W. Phillips with Mr. Weil; Mr. Goodman with Mr. Mork; Mr. Yale with Mr. Gurnett; Mr. Pappert with Mr. Schifferdecker; Mr. Coffey with Mr. J. J. O'Neill; Mr. J. S. Parker with Mr. W. R. Herrick; Mr. Allen with Mr. Manley; Mr. MacGregor with Mr. McCue; Mr. Ahern with Mr. Jameson; Mr. Thorn with Mr. Monczynski; Mr. Goodwin with Mr. Hoey; Mr. Pierce with Mr. Gould; Mr. Murray with Mr. Foley; Mr. Connell with Mr. Farrell; Mr. Sweet with Mr. Hearn; Mr. Nolan with Mr. Gillen; Mr. Talmage with Mr. Shiede; Mr. Cross with Mr. Zorn; Mr. Constantine with Mr. LaReau; Mr. Hoff with Mr. M. A. O'Neil; Mr. Bryant with Mr.

J. J. Herrick; Mr. Haines with Mr. McGrath; Mr. Adler with Mr. Blauvelt; Mr. Jones with Mr. Gregg; Mr. Shlivek with Mr. Goldberg; Mr. Graubard with Mr. White; Mr. A. Parker with Mr. Hinman; Mr. Kopp with Mr. Geatons; Mr. Merritt with Mr. A. E. Smith; Mr. Butler with Mr. Donovan; Mr. Lansing with Mr. Oliver.

Whole number of votes cast..... 9

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	3	2	5
For Edward M. Shepard.....	1	1	2
For Martin W. Littleton.....	0	1	1
For J. J. Hopper.....	0	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Gittins, the joint assembly took a recess until Monday, February 27th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting, no choice had been made and that the joint assembly had adjourned to meet Monday, February 27th, at 12 o'clock noon in the Assembly Chamber.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 283, Int. No. 281), entitled "An act to ratify, confirm and legalize the proceedings of the town of Irondequoit in the county of Monroe, had and taken in the matter of the establishment of a water district in said town; the sale, award and issuance of the bonds of said town to pay for the cost of constructing a water system in said water district; and to provide for the payment of said bonds," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 58, Int. No. 59), entitled "An act to legalize the establishment of the Roslyn water district in the town of North Hempstead, and the issuance and sale of the bonds of said town to install a water plant in said district, and to provide for the payment of said bonds," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. Bush, the House adjourned until Monday, February 27th, at 11:30 o'clock A. M.

MONDAY, FEBRUARY 27, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. W. Wemple, Saugerties, N. Y.

On motion of Mr. Bush, the reading of the journal of yesterday was dispensed with and the same was approved.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Ferris	Fiero	Gittins	Grady	Wagner	5

FOR CHAUNCEY M. DEPEW.

Brackett	1

FOR JOHN D. KERNAN.

Roosevelt	1

FOR M. J. O'BRIEN.

Loomis	Saxe	2

FOR WILLIAM SULZER.

White	1

When the roll was called the following pairs were announced:

Mr. Allen with Mr. Bayne; Mr. Argetsinger with Mr. Frawley; Mr. Coats with Mr. Hardin; Mr. Cobb with Mr. Hart; Mr. Emerson with Mr. Black; Mr. Griffith with Mr. Burd; Mr. Hamilton with Mr. Griffin; Mr. Heacock with Mr. Cronin; Mr. Hewitt with Mr. Murtaugh; Mr. Hinman with Mr. O'Brien; Mr. Ormrod with Mr. Long; Mr. Platt with Mr. McClelland; Mr. Rose with Mr. Pollock; Mr. Sage with Mr. Ramsperger; Mr. Thomas with Mr. Sanner; Mr. Travis with Mr. C. D. Sullivan; Mr. Wainwright with Mr. T. D. Sullivan; Mr. Walters with Mr. Stilwell; Mr. Bussey with Mr. Cullen; Mr. Newcomb with Mr. McManus.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bush	Cuvillier	Donovan	Frisbie	4

FOR CHAUNCEY M. DEPEW.

Filley	Butler	Waters F A	3

FOR MARTIN W. LITTLETON.

Evans	Friedman	Hoyt	Huber	4

FOR MARTIN H. GLYNN.

Saunders	1

FOR WILLIAM H. SULZER.

Myers	1

FOR JOHN D. KERNAN.

Beach	Bridenbecker	Drummond	Miller	Wheeler	
Brace	Cosad	Martin	Trombly		9

FOR J. J. HOPPER.

O'Connor	1

FOR EDWARD M. GROAT.

Fry	1

FOR THOMAS F. CONWAY.

Kennedy	1

FOR JOHN N. CARLISLE.

Day	1

FOR J. H. DOUGHERTY.

Shortt 1

FOR S. W. ROSENDALE.

Terry 1

When the roll was called the following pairs were announced: Mr. Colne with Mr. Gerken; Mr. McDonald with Mr. Gerhardt; Mr. T. K. Smith with Mr. Caughlan; Mr. Shannon with Mr. Seeley; Mr. Sullivan with Mr. Neupert; Mr. Winters with Mr. Carew; Mr. Ward with Mr. Egan; Mr. DeLano with Mr. Jackson; Mr. Cheney with Mr. Turley; Mr. Gray with Mr. McElligott; Mr. Hart with Mr. Goldstein; Mr. Ebbets with Mr. Donnelly; Mr. Brooks with Mr. A. J. Levy; Mr. Higgins with Mr. Boylan; Mr. Shepardson with Mr. Patrie; Mr. J. S. Phillips with Mr. Wende; Mr. Young with Mr. Warren; Mr. Stivers with Mr. Fay; Mr. Wilson with Mr. Collin; Mr. Hammond with Mr. Brennan; Mr. Brereton with Mr. Dawson; Mr. Hackett with Mr. R. B. Waters; Mr. C. W. Phillips with Mr. Weil; Mr. Goodman with Mr. Mork; Mr. Yale with Mr. Gurnett; Mr. Pappert with Mr. Schifferdecker; Mr. Coffey with Mr. J. J. O'Neill; Mr. J. S. Parker with Mr. W. R. Herrick; Mr. Allen with Mr. Manley; Mr. MacGregor with Mr. McCue; Mr. Ahern with Mr. Jameson; Mr. Thorn with Mr. Monczynski; Mr. Goodwin with Mr. Hoey; Mr. Pierce with Mr. Gould; Mr. Murray with Mr. Foley; Mr. Connell with Mr. Farrell; Mr. Sweet with Mr. Hearn; Mr. Nolan with Mr. Gillen; Mr. Talmage with Mr. Sheide; Mr. Cross with Mr. Zorn; Mr. Constantine with Mr. LaReau; Mr. Hoff with Mr. M. A. O'Neil; Mr. Bryant with Mr. J. J. Herrick; Mr. Haines with Mr. McGrath; Mr. Adler with Mr. Blauvelt; Mr. Jones with Mr. Gregg; Mr. Shlivek with Mr. Goldberg; Mr. Graubard with Mr. White; Mr. A. Parker with Mr. Hinman; Mr. Kopp with Mr. Geatons; Mr. Merritt with Mr. A. E. Smith; Mr. Lansing with Mr. Oliver.

Whole number of votes cast..... 38

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	5	4	9
For Chauncey M. Depew.....	1	3	4
For Martin W. Littleton.....	0	4	4

	Senators.	Assemblymen.	Total.
For Martin H. Glynn.....	0	1	1
For John D. Kernan.....	1	9	10
For M. J. O'Brien.....	2	0	2
For William Sulzer	1	1	2
For J. H. Dougherty.....	0	1	1
For Thomas F. Conway.....	0	1	1
For John N. Carlisle.....	0	1	1
For John J. Hopper.....	0	1	1
For Edward M. Groat.....	0	1	1
For S. W. Rosendale.....	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Gittins, the joint assembly took a recess until Tuesday, February 28th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Tuesday, February 28th, at 12 o'clock noon in the Assembly Chamber.

On motion of Mr. Bush, the House took a recess until 8:30 o'clock P. M.

EIGHT O'CLOCK AND THIRTY MINUTES P. M.

The House again convened.

Mr. Donnelly introduced a bill entitled "An act to amend the Greater New York charter, in relation to an additional justice of the municipal court in the third district of the borough of Brooklyn" (Int. No. 733), which was read the first time and referred to the committee on affairs of cities.

Mr. Foley introduced a bill entitled "An act to amend the

Penal Law, section two hundred and eighty, in relation corporation not to practice law" (Int. No. 734), which was read the first time and referred to the committee on codes.

Mr. Haines introduced a bill entitled "An act to provide for the erection of a new armory building in the city of Yonkers, New York, the acquisition of a site for the same, and making an appropriation therefor, and providing for the sale of the old armory site and buildings, and the application of the proceeds to such new building and for other purposes relative to the same" (Int. No. 735), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Second Class Cities Law, in relation to the grade and salaries of members of the police department" (Int. No. 736), which was read the first time and referred to the committee on affairs of cities.

Mr. Saunders introduced a bill entitled "An act to amend chapter twenty of the Consolidated Laws, General Business Law, article fifteen, hops and hay" (Int. No. 737), which was read the first time and referred to the committee on general laws.

Mr. Goldberg introduced a bill entitled "An act to amend the Greater New York charter, in relation to nominations" (Int. No. 738), which was read the first time and referred to the committee on affairs of cities.

Mr. Ward introduced a bill entitled "An act to amend the Penal Law, in relation to extortion and the punishment therefor" (Int. No. 739), which was read the first time and referred to the committee on codes.

Mr. Spielberg introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to bail in magistrates' courts in said city" (Int. No. 740), which was read the first time and referred to the committee on codes.

Mr. Wende introduced a bill entitled "An act relating to the salaries of the members of the board of school examiners of the city of Buffalo" (Int. No. 741), which was read the first time and referred to the committee on affairs of cities.

Mr. Geatons introduced a bill entitled "An act to authorize the board of assessors of the city of New York to estimate, determine and allow damages sustained by property of Amy Ellis, in the

borough of Brooklyn, city of New York, by reason of the opening and grading of Jerome street, and to provide for the payment by the city of any award thereunder" (Int. No. 742), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to provide for an investigation into the subject of utilizing sewage for fertilizer, and making an appropriation thereof" (Int. No. 743), which was read the first time and referred to the committee on ways and means.

Mr. McGrath introduced a bill entitled "An act to amend the Greater New York charter, so as to provide for a relief and pension fund for the benefit of the members of the clerical and uniformed forces of the department of street cleaning" (Int. No. 744), which was read the first time and referred to the committee on affairs of cities.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Saunders (No. 585, Int. No. 563), entitled "An act to amend chapter two hundred and sixty-eight of the Laws of eighteen hundred and ninety-one, entitled 'An act in relation to the office of sheriff in the county of Columbia,' in relation to the salary and disbursements of the sheriff," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Cosad (No. 105, Int. No. 105), entitled "An act to amend the Highway Law, in relation to the courses and descriptions of route six of the State highway system," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Military Law, in relation to the militia of the State." (No. 443, Int. No. 434.)

"An act to amend the Military Law, in relation to privileges, prohibitions and penalties." (No. 451, Int. No. 442.)

"An act to ratify, confirm and legalize the proceedings of the village of Bloomingdale in the county of Essex in the matter of

issuance, sale and award of its bonds in the amount of fifteen thousand dollars for the purpose of supplying said village and its inhabitants with pure and wholesome water, to legalize said bonds and to provide for the payment of the interest and principal thereof." (No. 432, Int. No. 427.)

"An act to amend the Military Law, in relation to miscellaneous provisions." (No. 452, Int. No. 443.)

"An act to amend the Military Law, in relation to military courts." (No. 447, Int. No. 438.)

"An act to amend the State Charities Law, in relation to estimates." (No. 357, Int. No. 350.)

"An act to authorize the city of Hudson to borrow money for street improvements, and to issue the bonds of the city therefor." (No. 68, Int. No. 69.)

"An act to amend the Military Law, in relation to the National Guard of the State." (No. 444, Int. No. 435.)

"An act to amend chapter forty-two of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of Cortland county a salaried office and to regulate the management of said office,' in relation to certain expenses of the sheriff." (No. 442, Int. No. 433.)

"An act to amend the Agricultural Law, in relation to cider vinegar." (No. 733, Int. No. 277.)

"An act to amend the Transportation Corporations Law, in relation to stage routes and extensions." (No. 518, Int. No. 503.)

"An act to amend the Public Health Law, relating to cold storage and refrigerating warehouses and places, and the sale or disposition of the food kept or preserved therein." (No. 729, Int. No. 154.)

"An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' generally." (No. 769, Int. No. 226.)

"An act to amend the Greater New York charter, in regard to stage routes." (No. 767, Int. No. 502.)

"An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificates." (No. 766, Int. No. 547.)

"An act to amend the Greater New York charter, relative to the powers and duties of the commissioner of street cleaning." (No. 768, Int. No. 12.)

"An act to incorporate 'The Pelham Firemen's Association' of the town of Pelham, New York." (No. 298, Int. No. 297.)

"An act to amend the Public Health Law, in relation to burial and burial permits." (No. 715, Int. No. 512.)

The bill (No. 724, Int. No. 136) entitled "An act to provide for a supply of pure and wholesome water for the city of Mount Vernon; and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects," was read the second time.

On motion of Mr. Coffey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 723, Int. No. 147) entitled "An act to amend the Public Officers Law, in relation to vacations for persons in the service of the State and of the several civil subdivisions thereof," was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 722, Int. No. 264) entitled "An act to amend the Tax Law, in relation to receipts by collectors and receivers of taxes," was read the second time.

On motion of Mr. J. J. O'Neill, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 721, Int. No. 439) entitled "An act to amend the Military Law, in relation to armories," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 720, Int. No. 183) entitled "An act to amend the County Law, in relation to trusts for maintenance of cemetery lots and appurtenances," was read the second time.

On motion of Mr. Shannon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 719, Int. No. 457) entitled "An act to amend the County Law, in relation to the compensation of supervisors and assessors in attending meetings of the State Board of Tax Commissioners," was read the second time.

On motion of Mr. Brown, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 718, Int. No. 184) entitled "An act to amend the Greater New York charter, in relation to notice to be given to the people of the State of New York and to the city of New York on the foreclosure of tax liens," was read the second time.

On motion of Mr. Chanler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 717, Int. No. 241) entitled "An act to ratify and confirm the proceedings of the village of Angola in the county of Erie in the matter of the sale and issuance of its bonds in the amount of fifty-five thousand dollars for the construction of a water works system in and for said village and to legalize said bonds and to provide for the payment of the interest and principal thereof," was read the second time.

On motion of Mr. Thorn, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 646, Int. No. 150) entitled "An act to amend the Indian Law, in relation to prosecution of actions and proceedings by the Seneca Nation of Indians," having been announced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 645, Int. No. 134) entitled "An act to amend the Agricultural Law, in relation to the definition of the terms 'butter' and 'cheese,'" was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Gregg	McCue	Shepardson
Ahern	Day	Gurnett	McDaniels	Shlivek
Allen	DeLano	Hackett	McElligott	Smith T K
Baumes	Donnelly	Hart	McGrath	Spielberg
Beach	Donovan	Hammond	McKeon	Stivers
Blauvelt	Drummond	Hearn	Merritt	Sullivan
Brace	Ebbetts	Heyman	Miller	Sweet
Brennan	Egan	Higgins	Monczynski	Talmage
Brereton	Evans	Hinman	Mork	Thorn
Bridenbecker	Farrell	Hoey	Murray	Trombly
Brooks	Fay	Hoff	Myers	Turley
Brown	Filley	Hollmann	Neupert	Ward
Bryant	Fitzpatrick	Hoyt	Nolan	Waring
Bush	Foley	Huber	O'Connor	Warren
Butler	Friedman	Jameson	O'Neill J J	Washburn
Carew	Fry	Jones	O'Neil M A	Waters F A
Caughlan	Geatons	Kennedy	Pappert	Waters R B
Chanler	Gerhardt	Keys	Parker A	Weil
Cheney	Gerken	Kopp	Parker J S	Wende
Coffey	Gillen	Lansing	Patrie	Wheeler
Colné	Goldberg	LaReau	Pierce	White
Connell	Goldstein	Lincoln	Saunders	Wilson
Constantine	Goodman	Macdonald	Schifferdecker	Winters
Coead	Gould	MacGregor	Seeley	Yeomans
Cross	Graubard	Manley	Shannon	Zorn
Cuvillier	Gray	Martin	Sheide	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 644, Int. No. 224) entitled "An act to amend the Code of Civil Procedure, in relation to examinations in proceedings supplemental to execution," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Gregg	McCue	Shepardson
Ahern	Day	Gurnett	McDaniels	Shlivek
Allen	DeLano	Hackett	McElligott	Smith T K
Baumes	Donnelly	Hart	McGrath	Spielberg

Beach	Donovan	Hammond	McKeon	Stivers
Blauvelt	Drummond	Hearn	Merritt	Sullivan
Brace	Ebbetts	Heyman	Miller	Sweet
Brennan	Egan	Higgins	Monczynski	Talmage
Brereton	Evans	Hinman	Mork	Thorn
Bridenbecker	Farrell	Hoey	Murray	Trombly
Brooks	Fay	Hoff	Myers	Turley
Brown	Filley	Hollmann	Neupert	Ward
Bryant	Fitzpatrick	Hoyt	Nolan	Waring
Bush	Foley	Huber	O'Connor	Warren
Butler	Friedman	Jameson	O'Neill J J	Washburn
Carew	Fry	Jones	O'Neil M A	Waters F A
Caughlan	Geatons	Kennedy	Pappert	Waters R B
Chanler	Gerhardt	Keys	Parker A	Weil
Cheney	Gerken	Kopp	Parker J S	Wende
Coffey	Gillen	Lansing	Pattie	Wheeler
Colné	Goldberg	LaReau	Pierce	White
Connell	Goldstein	Lincoln	Saunders	Wilson
Constantine	Goodman	Macdonald	Schifferdecker	Winters
Cosad	Gould	MacGregor	Seeley	Yeomans
Cross	Graubard	Manley	Shannon	Zorn
Cuvillier	Gray	Martin	Sheide	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 428, Int. No. 423) entitled "An act to repeal chapter four hundred and forty-four of the Laws of nineteen hundred and ten, entitled 'An act to establish a public school teachers' retirement fund in Greene county,' and to provide for the distribution of moneys heretofore paid into said fund," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Gregg	McCue	Shepardson
Ahern	Day	Gurnett	McDaniels	Shlivek
Allen	DeLano	Hackett	McElligott	Smith T K
Baumes	Donnelly	Hart	McGrath	Spielberg
Beach	Donovan	Hammond	McKeon	Stivers
Blauvelt	Drummond	Hearn	Merritt	Sullivan
Brace	Ebbetts	Heyman	Miller	Sweet
Brennan	Egan	Higgins	Monczynski	Talmage
Brereton	Evans	Hinman	Mork	Thorn
Bridenbecker	Farrell	Hoey	Murray	Trombly

Brooks	Fay	Hoff	Myers	Turley
Brown	Filley	Hollmann	Neupert	Ward
Bryant	Fitzpatrick	Hoyt	Nolan	Waring
Bush	Foley	Huber	O'Connor	Warren
Butler	Friedman	Jameson	O'Neill J J	Washburn
Carew	Fry	Jones	O'Neil M A	Waters F A
Caughlan	Geatons	Kennedy	Pappert	Waters R B
Chanler	Gerhardt	Keys	Parker A	Weil
Cheney	Gerken	Kopp	Parker J S	Wende
Coffey	Gillen	Lansing	Patrie	Wheeler
Colné	Goldberg	LaReau	Pierce	White
Connell	Goldstein	Lincoln	Saunders	Wilson
Constantine	Goodman	Macdonald	Schifferdecker	Winters
Cosad	Gould	MacGregor	Seeley	Yeomans
Cross	Graubard	Manley	Shannon	Zorn
Cuvillier	Gray	Martin	Sheide	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 364, Int. No. 357) entitled "An act to make the office of county clerk of the county of Delaware a salaried office, and regulating the management of said office and fixing the salary of said clerk and his assistants," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Gregg	McCue	Shepardson
Ahern	Day	Gurnett	McDaniels	Shlivek
Allen	DeLano	Hackett	McElligott	Smith T K
Baumes	Donnelly	Hart	McGrath	Spielberg
Beach	Donovan	Hammond	McKeon	Stivers
Blauvelt	Drummond	Hearn	Merritt	Sullivan
Brace	Ebbetts	Heyman	Miller	Sweet
Brennan	Egan	Higgins	Monczynski	Talmage
Brereton	Evans	Hinman	Mork	Thorn
Bridenbecker	Farrell	Hoey	Murray	Trombly
Brooks	Fay	Hoff	Myers	Turley
Brown	Filley	Hollmann	Neupert	Ward
Bryant	Fitzpatrick	Hoyt	Nolan	Waring
Bush	Foley	Huber	O'Connor	Warren
Butler	Friedman	Jameson	O'Neill J J	Washburn
Carew	Fry	Jones	O'Neil M A	Waters F A
Caughlan	Geatons	Kennedy	Pappert	Waters R B
Chanler	Gerhardt	Keys	Parker A	Weil
Cheney	Gerken	Kopp	Parker J S	Wende

Coffey	Gillen	Lansing	Patrie	Wheeler
Colné	Goldberg	LaReau	Pierce	White
Connell	Goldstein	Lincoln	Saunders	Wilson
Constantine	Goodman	Macdonald	Schifferdecker	Winters
Cosad	Gould	MacGregor	Seeley	Yeomans
Cross	Graubard	Manley	Shannon	Zorn
Cuvillier	Gray	Martin	Sheide	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 450, Int. No. 441) entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Gregg	McCue	Shepardson
Ahern	Day	Gurnett	McDaniels	Shlivek
Allen	DeLano	Hackett	McElligott	Smith T K
Baumes	Donnelly	Hart	McGrath	Spielberg
Beach	Donovan	Hammond	McKeon	Stivers
Blauvelt	Drummond	Hearn	Merritt	Sullivan
Brace	Ebbetts	Heyman	Miller	Sweet
Brennan	Egan	Higgins	Monczynski	Talmage
Brereton	Evans	Hinman	Mork	Thorn
Bridenbecker	Farrell	Hoey	Murray	Trombly
Brooks	Fay	Hoff	Myers	Turley
Brown	Filley	Hollmann	Neupert	Ward
Bryant	Fitzpatrick	Hoyt	Nolan	Waring
Bush	Foley	Huber	O'Connor	Warren
Butler	Friedman	Jameson	O'Neill J J	Washburn
Carew	Fry	Jones	O'Neil M A	Waters F A
Caughlan	Geatons	Kennedy	Pappert	Waters R B
Chanler	Gerhardt	Keys	Parker A	Weil
Cheney	Gerken	Kopp	Parker J S	Wende
Coffey	Gillen	Lansing	Patrie	Wheeler
Colné	Goldberg	LaReau	Pierce	White
Connell	Goldstein	Lincoln	Saunders	Wilson
Constantine	Goodman	Macdonald	Schifferdecker	Winters
Cosad	Gould	MacGregor	Seeley	Yeomans
Cross	Graubard	Manley	Shannon	Zorn
Cuvillier	Gray	Martin	Sheide	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 486, Int. No. 474) entitled "An act to amend the Tonawanda city charter, generally, and to repeal section five of title two of such charter," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Gregg	McCue	Shepardson
Ahern	Day	Gurnett	McDaniels	Shlivek
Allen	DeLano	Hackett	McElligott	Smith T K
Baumes	Donnelly	Hart	McGrath	Spielberg
Beach	Donovan	Hammond	McKeon	Stivers
Blauvelt	Drummond	Hearn	Merritt	Sullivan
Brace	Ebbetts	Heyman	Miller	Sweet
Brennan	Egan	Higgins	Monczynski	Talmage
Brereton	Evans	Hinman	Mork	Thorn
Bridenbecker	Farrell	Hoey	Murray	Trombly
Brooks	Fay	Hoff	Myers	Turley
Brown	Filley	Hollmann	Neupert	Ward
Bryant	Fitzpatrick	Hoyt	Nolan	Waring
Bush	Foley	Huber	O'Connor	Warren
Butler	Friedman	Jameson	O'Neill J J	Washburn
Carew	Fry	Jones	O'Neil M A	Waters F A
Caughlan	Geatons	Kennedy	Pappert	Waters R B
Chanler	Gerhardt	Keys	Parker A	Weil
Cheney	Gerken	Kopp	Parker J S	Wende
Coffey	Gillen	Lansing	Patrie	Wheeler
Colné	Goldberg	LaReau	Pierce	White
Connell	Goldstein	Lincoln	Saunders	Wilson
Constantine	Goodman	Macdonald	Schifferdecker	Winters
Cosad	Gould	MacGregor	Seeley	Yeomans
Cross	Graubard	Manley	Shannon	Zorn
Cuvillier	Gray	Martin	Sheide	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *February* 25, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill (No. 73, Int. No. 74), entitled "An act to legalize, ratify and confirm

the proceedings of the village of Cherry Creek in the county of Chautauqua, in the matter of raising the sum of thirty thousand dollars for the construction of a pressure water system for said village; to legalize, ratify and confirm the sale and issuance of the bonds of said village in the amount of twenty-five thousand dollars of said sum; to authorize the sale and issuance of the bonds of said village for the balance thereof; and to provide for the payment of the interest and principal of said bonds."

JOHN A. DIX.

Said bill having been announced, Mr. Lincoln moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Gregg	McCue	Shepardson
Ahern	Day	Gurnett	McDaniels	Shlivek
Allen	DeLano	Hackett	McElligott	Smith T K
Baumes	Donnelly	Hart	McGrath	Spielberg
Beach	Donovan	Hammond	McKeon	Stivers
Blauvelt	Drummond	Hearn	Merritt	Sullivan
Brace	Ebbetts	Heyman	Miller	Sweet
Brennan	Egan	Higgins	Monczynski	Talmage
Brereton	Evans	Hinman	Mork	Thorn
Buidenbecker	Farrell	Hoey	Murray	Trombly
Brooks	Fay	Hoff	Myers	Turley
Brown	Filley	Hollmann	Neupert	Ward
Bryant	Fitzpatrick	Hoyt	Nolan	Waring
Bush	Foley	Huber	O'Connor	Warren
Butler	Friedman	Jameson	O'Neill J J	Washburn
Carew	Fry	Jones	O'Neil M A	Waters F A
Caughlan	Geatons	Kennedy	Pappert	Waters R B
Chanler	Gerhardt	Keys	Parker A	Weil
Cheney	Gerken	Kopp	Parker J S	Wende
Coffey	Gillen	Lansing	Patrie	Wheeler
Colné	Goldberg	LaReau	Pierce	White
Connell	Goldstein	Lincoln	Saunders	Wilson
Constantine	Goodman	Macdonald	Schifferdecker	Winters
Cosad	Gould	MacGregor	Seeley	Yeomans
Cross	Graubard	Manley	Shannon	Zorn
Cuvillier	Gray	Martin	Sheide	

Mr. Lincoln moved that said bill be recommitted to the committee on affairs of villages, with instructions to report the same forthwith, amended as follows:

Page 2, line 23, after the word "first" insert "nineteen hundred and ten, payable one bond in numerical order on December first."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Martin, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Pursuant to notice, Mr. Spielberg called up his resolution in relation to discrimination against American citizens in Russia, introduced February 20th, and laid over under the rule.

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Pursuant to notice, Mr. Walker called up his resolution in relation to increased postal rates on magazines, introduced February 20th, and laid over under the rule.

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Pursuant to notice, Mr. Brooks called up his resolution in relation to the term of the President of the United States, introduced February 20th, and laid over under the rule.

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. O'Connor offered for the consideration of the House a resolution, in the words following:

Resolved by the Assembly, the Senate concurring, constituting the Legislature of the State of New York, That the Legislature of the State of New York does hereby make application to the

Congress of the United States, to call, in the immediate future, a constitutional convention of the people of the United States for the purpose of proposing, for ratification, amendments to the Constitution of the United States, authorizing the several States to provide by law for the election of Senators of the United States by a direct popular vote.

Resolved, That duly authenticated copies of these resolutions be duly and directly presented to the Senate and House of Representatives, constituting the Congress of the United States.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. Warren offered for the consideration of the House a resolution, in the words following:

Whereas, A joint committee of the Senate and Assembly of the State of New York appointed to investigate charges of corruption in the Legislature has submitted its report; and

Whereas, The limitations placed upon the powers and scope of said committee contributed toward the result obtained, to wit: that no complete and thoroughgoing proof or disproof of said charges of corruption has been presented; and

Whereas, The recent case of People v. Gardner in the county of New York indisputably evidences that there remains much to be disclosed and many conditions to be remedied; now, therefore, be it

Resolved (if the Senate concur), That a committee of five members be appointed, two to be named by the President of the Senate, and three by the Speaker of the Assembly, with full powers to investigate any and all charges, whether verified or unverified, against any member or members of this or past Legislatures, and all conditions affecting legislation; be it further

Resolved, That the committee herein provided for shall have full power to sit at any place or places within the State, to subpoena any and all persons for the purpose of testifying, to compel the production of any papers, books or accounts, to punish summarily any person or persons failing to obey its summons, subpoena or order, and to incur any necessary expense in the employment of clerks, attorneys, stenographers and attendants, which expenses shall be paid by the Comptroller on the certificate of the chairman of said committee; be it further

Resolved, That said committee present its report to the Legislature not later than January the fifteenth, nineteen hundred and twelve; be it further

Resolved, That the printing necessary for the work of said

committee be done by the public printer at the expense of the State; and be it further

Resolved, That the sum of fifty thousand dollars, or so much thereof as may be necessary, be appropriated out of the moneys not otherwise appropriated for the necessary expenses of the committee herein provided for.

which was referred to the committee on ways and means.

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Whereas, By an act of the Legislature the Public Service Commission of the first and second districts was created, the first district relating solely to the city of New York, and the second district to cover the territory outside the city of New York, the Public Service Commission took over the duties of the rapid transit commission of the city of New York and the Railroad Commissioners of the State of New York, the Commission on Gas and Electricity of the State of New York, and there was appropriated for the year 1908 for the commission of the first district by the city of New York the sum of one million, seventy-five thousand five hundred dollars ($1,075,500). In addition there was appropriated by the State of New York the sum of ninety-one thousand dollars ($91,000); and there was appropriated for the year 1910 for the Public Service Commission of the second district the sum of one million, five hundred ninety-three thousand two hundred thirty dollars ($1,593,230). The reports of the Public Service Commission of the first department are not available to show what amount has been appropriated and expended, as the same have not been printed for the years 1909 and 1910.

Whereas, The Railroad Commission of the State of New York for the year 1906 received from the State of New York the sum of one hundred and two thousand three hundred twenty dollars ($102,320); the Commission for Gas and Electricity of the State of New York for the year 1906 received from the State of New York the sum of eighteen thousand five hundred dollars ($18,500), making a total of one hundred and seventy-nine thousand eight hundred and twenty dollars ($179,820).

Whereas, By the report of the Public Service Commission of the first district for the year 1908, it shows an expenditure for salaries, employees and all other expenses relating solely to the Commission, the sum of nine hundred eighty-two thousand eight hundred and forty-four dollars seventy-six cents ($982,844.76) and that of the salaries and expenses of the second district the sum of three hundred and ninety-eight thousand, one hundred

fifty-one dollars and thirty cents ($398,151.30), making a total of $1,381,996.06. The appropriation for the Railroad Commission, and Inspector of Gas and Electricity was one hundred and seventy-nine thousand eight hundred and twenty dollars ($179,820). A difference of one million, two hundred and two thousand one hundred seventy-six dollars and six cents ($1,202,176.06) in that paid to the Railroad Commissioners of the State of New York, Commissioner of Gas and Electricity and Inspector of Gas and Meters for the year 1906.

Whereas, It is costing the taxpayers of the city of New York the sum of three thousand four hundred and twenty-six dollars ($3,426) a day for the salaries and expenses of the Public Service Commission of the first district; and the city of New York appropriates annually the sum of one million dollars and the State the sum of ninety-one thousand dollars as its share toward the salaries and expenses of the said Commission.

Resolved (if the Senate concur), That a committee of ten members of the Assembly, to be appointed by the Speaker of the Assembly, and five Senators, to be appointed by the President pro tem. of the Senate, be formed to investigate the Public Service Commission of the first and second districts, first, to ascertain the cause of the enormous increase of salaries and expenses of the first and second districts, to wit, the sum of $1,202,176.06 over that of the Railroad Commission, Inspectors of Gas Meters, and Commission of Gas and Electricity, to wit, the sum of $179,820.

Second, To ascertain if it would be for the best interests of the State of New York to make the Public Service Commission of the first district an absolutely local commission, the salaries and expenses of which to be paid by the city of New York; and the advisability of electing the members of the commission in the city of New York.

Third, To ascertain and advise the reason for a more uniform year report of the first and second districts.

Fourth. To investigate and ascertain if the work of the Commission since its organization justifies the continuation of said Commission at the enormous expense as indicated each year by the city and State of New York, and the advisability of repealing and abrogating the Public Service Commissions Law, and in its stead and place to have the Legislature assume its former rights to legislate for the people of the State of New York which it surrendered to the Public Service Commission.

Resolved (if the Senate concur), That the sum of fifty thousand dollars be appropriated out of any funds in the treasury not otherwise appropriated for the purpose of retaining counsel, paying clerks, stenographers and accountants, and other necessary ex-

penses of the committee, the said committee to report to the Legislature during the present session.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

On motion of Mr. Foley, the House adjourned.

TUESDAY, FEBRUARY 28, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Foley, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter thirty-five of the Laws of nineteen hundred and ten, entitled 'An act permitting the board of supervisors of Rensselaer county to create a commission to erect and furnish a new jail, workhouse and quarters for the sheriff of the county of Rensselaer, within the city of Troy, for the use of said county, to acquire the necessary land therefor, and to provide means to defray the expenses thereof'" (No. 227, Rec. No. 20), which was read the first time and referred to the committee on internal affairs.

"An act to amend the State Charities Law, in relation to estimates" (No. 210, Rec. No. 21), which was read the first time and referred to the committee on ways and means.

"An act to amend the Penal Law, in relation to the crime of extortion" (No. 389, Rec. No. 22), which was read the first time and referred to the committee on codes.

"An act to amend the Education Law, relating to the Supreme Court library at Buffalo" (No. 94, Rec. No. 23), which was read the first time and referred to the committee on the judiciary.

"An act to amend the County Law, in relation to standing committees of boards of supervisors and organization of such boards, in certain counties" (No. 395, Rec. No. 24), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Greater New York charter, in relation to the deposit of public moneys of the city of New York" (No. 394, Rec. No. 25), which was read the first time and referred to the committee on affairs of cities.

"An act to make legal, ratify and confirm the organization, acts and proceedings of union free school district number two of the town of Brookhaven, county of Suffolk, its board of education, officers and agents, in the matter of the issuance and sale of the bonds of said district, dated September first, nineteen hundred and ten, issued partly for the construction of a new schoolhouse in said district and partly for the purchase of a site therefor, to validate said bonds and provide for the raising of funds for their payment by taxation in said district" (No. 196, Rec. No. 26), which was read the first time and referred to the committee on public education.

"An act in relation to the improvement of State street in the city of Albany" (No. 390, Rec. No. 27), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter four hundred and thirty-one of the Laws of nineteen hundred and nine, entitled 'An act to establish a public school teachers' retirement fund in Westchester county,' in relation to the sources of said fund, payments into and from the same, persons entitled to annuities and other moneys payable therefrom and the amount of any such annuity" (No. 419, Rec. No. 28), which was read the first time and referred to the committee on public education.

"An act to amend the Town Law, in relation to the establishment and maintenance of sidewalks outside of incorporated cities and villages" (No. 181, Rec. No. 29), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Village Law, in relation to compensation of president and trustees of villages of the first class" (No. 19, Rec. No. 30), which was read the first time and referred to the committee on villages.

Mr. Donovan introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section fourteen of article six of the Constitution, in relation to the County Court of Kings county" (Int. No. 745), which was read the first time and referred to the committee on the judiciary.

Mr. Gerken introduced a bill entitled "An act to amend the Greater New York charter, in relation to conferring power upon the board of estimate and apportionment to acquire lands in certain parts of the city of New York for playgrounds and to provide for the improvement thereof" (Int. No. 746), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Labor Law, in relation to the employment of girls" (Int. No. 747), which was read the first time and referred to the committee on labor and industries.

Mr. Stivers introduced a bill entitled "An act to amend chapter eighty-three of the Laws of nineteen hundred and one, entitled 'An act to provide for the improvement of the public highways in the county of Orange,' in relation to the rate of interest on the bonds to be issued under such act" (Int. No. 748), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend chapter two hundred and thirteen of the Laws of nineteen hundred and four, entitled 'An act to make the office of county clerk of Orange county a salaried office and regulating the management of said office and fixing the salary of said clerk and his assistants,' in relation to payment by said clerk into the treasury of said county of moneys received by him, less his disbursements" (Int. No. 749), which was read the first time and referred to the committee on internal affairs.

Mr. Zorn introduced a bill entitled "An act to annex certain portions of the county of New York to the county of Queens and to confirm the record heretofore made of titles to the lands within the affected territory" (Int. No. 750), which was read the first time and referred to the committee on internal affairs.

Mr. Washburn introduced a bill entitled "An act to amend the Public Health Law, in relation to the practice of dentistry" (Int. No. 751), which was read the first time and referred to the committee on public health.

Mr. White introduced a bill entitled "An act to amend the Town Law, in relation to cemeteries" (Int. No. 752), which was read the first time and referred to the committee on internal affairs.

Mr. Neupert introduced a bill entitled "An act to amend chapter sixty-two of the Laws of nineteen hundred and nine, entitled 'An act in relation to taxation, constituting chapter sixty of the Consolidated Laws,' in relation to bank taxes" (Int. No. 753), which was read the first time and referred to the committee on banks.

Also, "An act giving the consent of the State of New York to the improvement, use and occupation of Bird Island pier and the lands under water adjacent thereto, in the city of Buffalo, for the purposes of a public park and landing facilities subject to the permission and control of the United States" (Int. No. 754), which was read the first time and referred to the committee on affairs of cities.

Mr. Kennedy introduced a bill entitled "An act to amend the Greater New York charter, in relation to the construction of tribuary sewers by private persons in certain districts in the city of New York" (Int. No. 755), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Cheney, by request, introduced a bill entitled "An act to amend the Olean city charter, generally" (Int. No. 756), which was read the first time and referred to the committee on affairs of cities.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Hoey (No. 723, Int. No. 147), entitled "An act to amend the Public Officers Law, in relation to vacations for persons in the service of the State and of the several civil subdivisions thereof."

Also, the bill introduced by Mr. Shannon (No. 720, Int. No. 183), entitled "An act to amend the County Law, in relation to trusts for maintenance of cemetery lots and appurtenances."

Also, the bill introduced by Mr. Thorn (No. 717, Int. No. 241), entitled "An act to ratify and confirm the proceedings of the village of Angola in the county of Erie in the matter of the sale and issuance of its bonds in the amount of fifty-five thousand dollars for the construction of a water works system in and for said village and to legalize said bonds and to provide for the payment of the interest and principal thereof."

Also, the bill introduced by Mr. J. J. O'Neill (No. 722, Int.

No. 264), entitled "An act to amend the Tax Law, in relation to receipts by collectors and receivers of taxes."

Also, the bill introduced by Mr. Chanler (No. 718, Int. No. 184), entitled "An act to amend the Greater New York charter, in relation to notice to be given to the people of the State of New York and to the city of New York on the foreclosure of tax liens."

Also, the bill introduced by Mr. Coffey (No. 724, Int. No. 136), entitled "An act to provide for a supply of pure and wholesome water for the city of Mount Vernon; and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Brown (No. 719, Int. No. 457), entitled "An act to amend the County Law, in relation to the compensation of supervisors and assessors in attending meetings of the State Board of Tax Commissioners," reported the same with the following recommendation:

On page 2, line 3, change "attending" to "attendance at".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Cuvillier (No. 721, Int. No. 439), entitled "An act to amend the Military Law, in relation to armories," reported the same with the following recommendations:

On page 4, line 17, insert comma after the word "year".
On page 6, line 22, change "the" to "any".
On page 9, line 17, insert "and" in brackets before "two".
Also in line 17, italicize "s" in the word "laborers".
In line 17, italicize the following sentence: "In armories of the field artillery, in addition to the foregoing, there shall be allowed one laborer for each battery of field artillery, for the care of field artillery, harness and equipment."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Foley moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	DeLano	Hearn	McDaniels	Shepardson
Ahern	Donnelly	Herrick J J	McElligott	Shlivek
Allen	Drummond	Herrick W R	McGrath	Shortt
Baumes	Ebbetts	Heyman	Merritt	Smith T K
Beach	Egan	Higgins	Miller	Spielberg
Blauvelt	Evans	Hinman	Monczynski	Stivers
Boylan	Farrell	Hoey	Murray	Sullivan
Brace	Fay	Hollmann	Myers	Sweet
Brennan	Filley	Hoyt	Neupert	Talmage
Bridenbecker	Fitzpatrick	Huber	Nolan	Terry
Brooks	Foley	Jackson	O'Connor	Thorn
Brown	Friedman	Jameson	Oliver	Trombly
Bryant	Fry	Jones	O'Neill J J	Walker
Bush	Geatons	Kennedy	O'Neil M A	Waring
Butler	Gerhardt	Keys	Pappert	Warren
Carew	Gillen	Kopp	Parker A	Washburn
Caughlan	Goldberg	Lansing	Parker J S	Waters F A
Chanler	Goldstein	LaReau	Patrie	Waters R B
Cheney	Goodwin	Lent	Phillips C W	Wende
Coffey	Gould	Levy A J	Phillips J S	Wheeler
Colné	Graubard	Levy J	Pierce	White
Connell	Gray	Lincoln	Saunders	Wilson
Constantine	Gregg	Macdonald	Schifferdecker	Winters
Cosad	Gurnett	MacGregor	Seeley	Yale
Cross	Hackett	Manley	Shannon	Yeomans
Cuvillier	Haines	Martin	Shea	Zorn
Dawson	Hart	McCue	Sheide	Speaker
Day	Hammond			

Mr. Foley moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 731, Int. No. 436) entitled "An act to amend the Military Law, in relation to commissioned officers of the National Guard," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 732, Int. No. 437) entitled "An act to amend the Military Law, in relation to enlisted men of the National Guard and Naval Militia," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 740, Int. No. 586) entitled "An act to exempt the real estate of charitable infant asylum corporations in the State of New York from certain assessments for public improvements," was read the second time.

On motion of Mr. Goldberg, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 730, Int. No. 94) entitled "An act to amend the Penal Law, in relation to Sunday baseball," having been announced for a second reading,

On motion of Mr. McGrath, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 739, Int. No. 348) entitled "An act to amend the Code of Civil Procedure, in relation to challenges to jury," was read the second time.

On motion of Mr. Huber, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 736, Int. No. 127) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' with reference to the opening of defaults or dismissals, and vacating judgments and final orders," was read the second time.

On motion of Mr. Murray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 737, Int. No. 289) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to authority to set aside judgments for error in fact," was read the second time.

On motion of Mr. Mork, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 43, Assembly reprint No. 770, Rec. No. 11) entitled "An act to amend chapter one hundred and fifteen of the Laws of nineteen hundred and nine, entitled 'An act authorizing the city of Buffalo to construct, equip and maintain a municipal hospital or hospitals either within or outside the limits

of said city, for the exclusive care and treatment of persons affected with incipient tuberculosis, and authorizing said city to acquire lands for such purposes and to borrow money therefor by the issue of bonds,' increasing the aggregate amount which said city may borrow for such purposes, and increasing the maximum rate of interest on such bonds," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading and referred to the committee on revision.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Black	Fiero	Harte	O'Brien	Sullivan C D	
Cronin	Frawley	Long	Pollock	Sullivan T D	
Cullen	Gittins	McClelland	Ramsperger	Wagner	
Ferris	Grady	Murtaugh	Stilwell		19

FOR CHAUNCEY M. DEPEW.

Allen	Bussey	Hewitt	Platt	Thomas	
Argetsinger	Griffith	Newcomb	Rose	Travis	
Brackett	Hamilton	Ormrod	Sage	Walters	15

FOR MARTIN W. LITTLETON.

Burd 1

FOR JOHN D. KERNAN.

Roosevelt 1

FOR M. J. O'BRIEN.

Loomis 1

FOR WILLIAM SULZER.

White 1

FOR J. J. HOPPER.

Duhamel 1

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fitzpatrick	Gurnett	Manley	Patrie	
Boylan	Foley	Hackett	McCue	Schifferdecker	
Brennan	Frisbie	Hearn	McElligott	Seeley	
Bush	Geatons	Herrick J J	McGrath	Sheide	
Carew	Gerhardt	Herrick W R	McKeon	Spielberg	
Caughlan	Gerken	Heyman	Monczynski	Turley	
Cuvillier	Gillen	Hoey	Mork	Walker	
Dawson	Goldberg	Jackson	Neupert	Warren	
Donnelly	Goldstein	Jameson	Oliver	Washburn	
Donovan	Gould	LaReau	O'Neill J J	Weil	
Egan	Graubard	Levy A J	O'Neil M A	Wende	
Farrell	Gregg	Levy J	Parker A	Zorn	
Fay					61

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hinman	Nolan	Sullivan	
Ahern	Cross	Hoff	Pappert	Sweet	
Allen	DeLano	Jones	Parker J S	Talmage	
Baumes	Ebbetts	Keys	Phillips C.W	Thorn	
Brooks	Filley	Kopp	Phillips J S	Waring	
Brown	Goodman	Lansing	Pierce	Waters F A	
Bryant	Goodwin	Lent	Shannon	Waters R B	
Butler	Gray	Lincoln	Shea	White	
Cheney	Haines	Macdonald	Shepardson	Wilson	
Coffey	Hammond	MacGregor	Shlivek	Winters	
Colné	Hart	Merritt	Smith T K	Yale	
Connell	Higgins	Murray	Stivers	Yeomans	60

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN W. LITTLETON.

Evans	Hollmann	Hoyt	Huber	Kennedy	
Friedman					6

FOR MARTIN H. GLYNN.

Saunders 1

FOR JOHN D. KERNAN.

Beach	Bridenbecker	Drummond	Miller	Trombly	
Brace	Cosad	Martin	Terry	Wheeler	10

FOR M. J. O'BRIEN.

Chanler 1

FOR WILLIAM SULZER.

Myers 1

FOR J. H. DOUGHERTY.

Shortt 1

FOR JOHN N. CARLISLE.

Day 1

FOR J. J. HOPPER.

O'Connor 1

FOR EDWARD N. GROAT.

Fry 1

When the roll was called the following pairs were announced: Mr. Brereton with Mr. Collin; Mr. Ward with Mr. A. E. Smith.

Whole number of votes cast	184
Necessary to a choice	93

	Senators.	Assemblymen.	Total.
For William F. Sheehan	19	61	80
For Chauncey M. Depew	15	60	75
For Alton B. Parker	0	1	1
For Martin W. Littleton	1	6	7
For Martin H. Glynn	0	1	1
For John W. Kernan	1	10	11
For M. J. O'Brien	1	10	11
For William Sulzer	1	1	2
For J. H. Dougherty	0	1	1
For John N. Carlisle	0	1	1
For J. J. Hopper	1	1	2
For Edward M. Groat	0	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Wednesday, March 1st, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Wednesday, March 1st, at 12 o'clock noon in the Assembly Chamber.

The bill (No. 297, Int. No. 296) entitled "An act to amend chapter six hundred and eighty-three of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the police pension fund, and the firemen's pension fund of the city of Syracuse.'" having been announced for a third reading,

On motion of Mr. Hammond, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of third reading.

The bill (No. 726, Int. No. 9) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to pleadings," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J	McElligott	Smith T K
Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Turley
Bryant	Fry	Jameson	O'Neill J J	Walker
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White
Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 725, Int. No. 449) entitled "An act to legalize certain acts and proceedings of union free school district number six of the town of West Seneca, in the county of Erie, its voters, board of trustees, officers and agents, in relation to a certain tax voted and raised therein in the year nineteen hundred and ten, and authorizing the distribution of the moneys so raised," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J J	McElligott	Smith T K
Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Turley
Bryant	Fry	Jameson	O'Neill J J	Walker
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White
Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 357, Int. No. 350) entitled "An act to amend the State Charities Law, in relation to estimates," was read the

third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J J	McElligott	Smith T K
Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Turley
Bryant	Fry	Jameson	O'Neill J J	Walker
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White
Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 442, Int. No. 433) entitled "An act to amend chapter forty-two of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of Cortland county a salaried office and to regulate the management of said office,' in relation to certain expenses of the sheriff," was read the third time, having been printed and upon the desks of the members in

its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J J	McElligott	Smith T K
Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Turley
Bryant	Fry	Jameson	O'Neill J J	Walker
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White
Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 452, Int. No. 443) entitled "An act to amend the Military Law, in relation to miscellaneous provisions," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J J	McElligott	Smith T K
Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Turley
Bryant	Fry	Jameson	O'Neill J J	Walker
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White
Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 443, Int. No. 434) entitled "An act to amend the Military Law, in relation to the militia of the State," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J J	McElligott	Smith T K

Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Turley
Bryant	Fry	Jameson	O'Neill J J	Walker
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White
Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 444, Int. No. 435) entitled "An act to amend the Military Law, in relation to the National Guard of the State," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J J	McElligott	Smith T K
Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Turley
Bryant	Fry	Jameson	O'Neill J J	Walker

Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubaid	Levy J	Saunders	White
Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 447, Int. No. 438) entitled "An act to amend the Military Law, in relation to military courts," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J J	McElligott	Smith T K
Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Tuley
Bryant	Fry	Jameson	O'Neill J J	Walker
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White

Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 451, Int. No. 442) entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J J	McElligott	Smith T K
Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Turley
Bryant	Fry	Jameson	O'Neill J J	Walker
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White
Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 432, Int. No. 427) entitled "An act to ratify, confirm and legalize the proceedings of the village of Bloomingdale in the county of Essex in the matter of issuance, sale and award of its bonds in the amount of fifteen thousand dollars for the purpose of supplying said village and its inhabitants with pure and wholesome water, to legalize said bonds and to provide for the payment of the interest and principal thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J J	McElligott	Smith T K
Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Turley
Bryant	Fry	Jameson	O'Neill J J	Walker
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White
Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 68, Int. No. 69) entitled "An act to authorize the city of Hudson to borrow money for street improvements, and to issue the bonds of the city therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J J	McElligott	Smith.T K
Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Turley
Bryant	Fry	Jameson	O'Neill J J	Walker
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White
Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 518, Int. No. 503) entitled "An act to amend the Transportation Corporations Law, in relation to stage routes and extensions," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J J	McElligott	Smith T K
Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Turley
Bryant	Fry	Jameson	O'Neill J J	Walker
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White
Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 715, Int. No. 512) entitled "An act to amend the Public Health Law, in relation to burial and burial permits," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J J	McElligott	Smith T K
Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Turley
Bryant	Fry	Jameson	O'Neill J J	Walker
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White
Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 646, Int. No. 150) entitled "An act to amend the Indian Law, in relation to prosecution of actions and proceedings by the Seneca Nation of Indians," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McCue	Shlivek
Ahern	Donnelly	Hearn	McDaniels	Shortt
Allen	Drummond	Herrick J J	McElligott	Smith T K

Baumes	Ebbetts	Herrick W R	McGrath	Spielberg
Beach	Egan	Heyman	Merritt	Stivers
Blauvelt	Evans	Higgins	Miller	Sullivan
Boylan	Farrell	Hinman	Monczynski	Sweet
Brace	Fay	Hoey	Murray	Talmage
Brennan	Filley	Hollmann	Myers	Terry
Bridenbecker	Fitzpatrick	Hoyt	Neupert	Thorn
Brooks	Foley	Huber	Nolan	Trombly
Brown	Friedman	Jackson	Oliver	Turley
Bryant	Fry	Jameson	O'Neill J J	Walker
Bush	Geatons	Jones	O'Neil M A	Waring
Butler	Gerhardt	Kennedy	Pappert	Warren
Carew	Gerken	Keys	Parker A	Washburn
Caughlan	Gillen	Kopp	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Levy J	Saunders	White
Constantine	Gray	Lincoln	Schifferdecker	Wilson
Cosad	Gregg	Macdonald	Seeley	Winters
Cross	Gurnett	MacGregor	Shannon	Yale
Cuvillier	Hackett	Manley	Sheide	Yeomans
Dawson	Haines	Martin	Shepardson	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate returned the bill (No. 577, Int. No. 487), entitled "An act to amend chapter three hundred and fifty-six of the Laws of nineteen hundred and seven, as amended by chapter one hundred and seven of the Laws of nineteen hundred and nine, entitled 'An act to provide for the construction of intercepting sewers in and for the city of Syracuse, in relation to the issue and payment of bonds,'" with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

The Senate returned the bill (No. 632, Int. No. 227), entitled "An act to amend chapter three hundred and eighty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the city of Cohoes to borrow money for the purpose of better equipping its fire department, and to issue and sell its bonds for the money so borrowed, and to provide for raising money by taxation in said city for the redemption of said bonds and the payment of interest thereon,' in relation to the rate of interest on bonds to be issued thereunder, authorizing the common council to amend a resolution heretofore passed in respect to the rate

of such interest, and ratifying and confirming the action of the city, its common council, officers and agents in respect to proceedings leading up to and including the passage of such resolution," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Cohoes.

The Senate returned the bill (No. 633, Int. No. 267), entitled "An act to amend chapter three hundred and ninety-two of the Laws of nineteen hundred and two, entitled 'An act to authorize the common council of the city of Cohoes to borrow money by the issuing of bonds for the improvement of the quality and quantity of the present water supply, and the procuring of an additional supply of pure and wholesome water for said city,' in relation to the rate of interest on bonds to be issued thereunder, authorizing the common council to amend a resolution heretofore passed in respect to the rate of such interest, and ratifying and confirming the action of the city, its common council, board of water commissioners, officers and agents in respect to proceedings leading up to and including the passage of such resolution," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Cohoes.

The Senate returned the bill (No. 267, Int. No. 265), entitled "An act to reappropriate certain unexpended balances for the State Commission in Lunacy."

Also, the bill (No. 7, Int. No. 7), entitled "An act to legalize, ratify and confirm the proceedings of the qualified voters and town board of the town of Eastchester, in the county of Westchester, the officers and agents thereof, and the proceedings of the board of supervisors of said county, in the matter of the sale and award of the bonds of said town in the amount of five thousand three hundred dollars, and to provide for the payment of the interest and principal thereof," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution in relation to an extraordinary session of Congress for a revision of the tariff, with a message that they have concurred in the passage of the same without amendment.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *February* 27, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill (No. 58, Int. No. 59), entitled "An act to legalize the establishment of the Rosyln water district in the town of North Hempstead, and the issuance and sale of the bonds of said town to install a water plant in said district, and to provide for the payment of said bonds."

JOHN A. DIX.

A communication was received from Hon. Louis P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 15, Int. No. 15), entitled "An act authorizing the common council and mayor of the city of Buffalo to convey by quitclaim deeds to abutting owners a strip of land lying between the present lines of Woodlawn avenue and private property adjacent thereto," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Foley, the House adjourned.

WEDNESDAY, MARCH 1, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Samuel H. Goldenson.

On motion of Mr. Foley, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Barge Canal Terminal Commission, which was laid upon the table and ordered printed.

(See Senate Document No. 30.)

Mr. Foley moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Donnelly	Hearn	McGrath	Shortt
Ahern	Donovan	Herrick J J	McKeon	Smith T K
Allen	Drummond	Herrick W R	Merritt	Spielberg
Baumes	Ebbetts	Heyman	Miller	Stivers
Beach	Egan	Higgins	Monczynski	Sullivan
Boylan	Evans	Hinman	Mork	Sweet
Brace	Farrell	Hoey	Murray	Talmage
Brennan	Fay	Hoff	Myers	Terry
Bridenbecker	Filley	Hollmann	Neupert	Thorn
Brooks	Fitzpatrick	Hoyt	Nolan	Trombly
Brown	Foley	Huber	O'Connor	Turley
Bryant	Friedman	Jackson	Oliver	Walker
Bush	Fry	Jameson	O'Neill J J	Ward
Butler	Geatons	Jones	O'Neil M A	Waring
Carew	Gerhardt	Kennedy	Pappert	Warren
Caughlan	Gerken	Keys	Parker A	Washburn
Chanler	Gillen	Lansing	Parker J S	Waters F A
Cheney	Goldberg	LaReau	Patrie	Waters R B
Coffey	Goldstein	Lent	Phillips C W	Weil
Collin	Goodman	Levy A J	Phillips J S	Wende
Colné	Goodwin	Levy J	Pierce	Wheeler
Connell	Gould	Lincoln	Saunders	White
Constantine	Graubard	Macdonald	Schifferdecker	Wilson
Cosad	Gray	MacGregor	Seeley	Winters
Cross	Gregg	Manley	Shannon	Yeomans
Cuvillier	Hackett	Martin	Shea	Young
Dawson	Haines	McCue	Sheide	Zorn
Day	Hart	McDaniels	Shepardson	Speaker
DeLano	Hammond	McElligott	Shlivek	

Mr. Foley moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following entitled bill:

"Concurrent resolution of the Senate and Assembly proposing an amendment to section two of article six of the Constitution, in relation to assignment of justices of the Supreme Court to hold Special and Trial Terms" (No. 176, Rec. No. 31), which was read the first time and referred to the committee on the judiciary.

Mr. Ahern introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to hunting of certain birds and quadrupeds while snow is on the ground" (Int. No. 757), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Baumes introduced a bill entitled "An act to authorize the commissioners of the home of the city and town of Newburgh to grant a right of way for railroad purposes across the premises owned by them" (Int. No. 758), which was read the first time and referred to the committee on charitable and religious societies.

Mr. Brennan introduced a bill entitled "An act to amend the Greater New York charter, in relation to pensions of members of the fire department" (Int. No. 759), which was read the first time and referred to the committee on affairs of cities.

Mr. Bryant introduced a bill entitled "An act to make the office of sheriff of Genesee county a salaried office, and to regulate the management of said office" (Int. No. 760), which was read the first time and referred to the committee on internal affairs.

Mr. Constantine introduced a bill entitled "An act to amend the Niagara Falls charter, generally" (Int. No. 761), which was read the first time and referred to the committee on affairs of cities.

Mr. Fitzpatrick introduced a bill entitled "An act to amend the Insurance Law to permit the insuring of property of corporations located in this State in unauthorized mutual companies of other States and to tax the policies so issued" (Int. No. 762), which was read the first time and referred to the committee on insurance.

Mr. Haines introduced a bill entitled "An act to amend the Labor Law, in relation to violations thereof by officers, agents and employees of any commission appointed pursuant to law" (Int. No. 763), which was read the first time and referred to the committee on labor and industries.

Mr. W. R. Herrick introduced a bill entitled "An act to amend the Election Law, in relation to a conflict in names and emblems" (Int. No. 764), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Domestic Relations Law, in relation to issuing of marriage licenses" (Int. No. 765), which was read the first time and referred to the committee on general laws.

Mr. Heyman introduced a bill entitled "An act to amend chapter four hundred and thirty-eight of the Laws of eighteen hun-

dred and ninety-seven, as amended by chapter seventy-seven of the Laws of nineteen hundred and seven and chapter one hundred and ninety-eight of the Laws of nineteen hundred and nine, entitled 'An act regulating the appointment of assistant district attorneys for the county of Kings'" (Int. No. 766), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Penal Law, in relation to public traffic on Sunday" (Int. No. 767), which was read the first time and referred to the committee on codes.

Mr. Hinman introduced a bill entitled "An act to amend chapter five hundred and fifty-four of the Laws of eighteen hundred and ninety-nine, entitled 'An act to establish a police pension fund for the city of Albany,' relative to regulating pensions and increasing same" (Int. No. 768), which was read the first time and referred to the committee on affairs of cities.

Mr. Hoyt introduced a bill entitled "An act to amend the Insanity Law, in relation to records and reports respecting persons indicted for crime, who had been committed as insane" (Int. No. 769), which was read the first time and referred to the committee on public institutions.

Also, "An act to amend the Code of Criminal Procedure, in relation to the dismissal of an indictment where defendant has been committed as insane" (Int. No. 770), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to inquiry by the court where defendant pleads insanity" (Int. No. 771), which was read the first time and referred to the committee on codes.

Mr. Farrell introduced a bill entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of the claims of Arthur C. Quinn, Thomas Kenny and John Kearney, for services rendered to the county of Kings, in the discretion of such board" (Int. No. 772), which was read the first time and referred to the committee on affairs of cities.

Mr. Macdonald introduced a bill entitled "An act to amend the Highway Law, in relation to the amount of State aid for the repair and improvement of highways" (Int. No. 773), which

was read the first time and referred to the committee on ways and means.

Mr. MacGregor introduced a bill entitled "An act to amend the Highway Law, in relation to the description of route eighteen of certain highways to be constructed or improved by the State" (Int. No. 774), which was read the first time and referred to the committee on internal affairs.

Mr. McKeon introduced a bill entitled "An act to establish a commission to investigate the cold storage of food and the sale of food so kept and to recommend appropriate remedial legislation in relation thereto, and making an appropriation for the expenses of said commission" (Int. No. 775), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Greater New York charter, in relation to retaining civil service employees, in the city of New York, after moneys appropriated for their salaries are exhausted" (Int. No. 776), which was read the first time and referred to the committee on affairs of cities.

Mr. C. W. Phillips introduced a bill entitled "An act to amend chapter nine of the Laws of eighteen hundred and eighty-four, entitled 'An act to incorporate the Reynolds' Library in the city of Rochester,' in relation to times for holding regular meetings of the trustees of said library" (Int. No. 777), which was read the first time and referred to the committee on public education.

Mr. Terry introduced a bill entitled "An act to amend the Membership Corporations Law, in relation to the election of directors" (Int. No. 778), which was read the first time and referred to the committee on general laws.

Mr. Walker introduced a bill entitled "An act to amend the Education Law, in relation to establishing a State veterinary college at New York University in the city of New York" (Int. No. 779), which was read the first time and referred to the committee on ways and means.

Mr. Washburn introduced a bill entitled "An act to amend the Labor Law, in relation to licensing stationary engineers and firemen" (Int. No. 780), which was read the first time and referred to the committee on labor and industries.

Mr. Cuvillier introduced a bill entitled "An act giving the consent of the Legislature of the State of New York to the formation and erection of a new State within the jurisdiction of the State of New York, to be known as the State of Manhattan" (Int. No. 781), which was read the first time and referred to the committee on the judiciary.

Also, "An act to elect delegates to a constitutional convention for the purpose of framing a constitution for the proposed State of Manhattan" (Int. No. 782), which was read the first time and referred to the committee on the judiciary.

Mr. Bush introduced a bill entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to duties of assessors" (Int. No. 783), which was read the first time and referred to the committee on affairs of cities.

Mr. Foley introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to verification of answers in actions for divorce" (Int. No. 784), which was read the first time and referred to the committee on codes.

Mr. Hoey introduced a bill entitled "An act to amend section one hundred, chapter thirty-three of the Laws of nineteen hundred and nine, known as the Insurance Law, being chapter twenty-eight of the Consolidated Laws, relating to investments of life insurance companies" (Int. No. 785), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, making void policies of life insurance issued in violation of section eighty-nine of such law and providing for notice to that effect on each policy" (Int. No. 786), which was read the first time and referred to the committee on insurance.

Mr. Wende introduced a bill entitled "An act to amend chapter one hundred and seventy-three of the Laws of eighteen hundred and ninety-five, entitled 'An act fixing the fiscal year, providing for a county auditor, and regulating the purchase of supplies for the county institutions and officers of the county of Erie,' generally" (Int. No. 787), which was read the first time and referred to the committee on internal affairs.

Mr. Schifferdecker introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to enumeration for purposes of taxation" (Int. No. 788), which was read the first time and referred to the committee on excise.

Also, "An act to amend the Liquor Tax Law, in relation to illegal sales and selling" (Int. No. 789), which was read the first time and referred to the committee on excise.

Mr. M. A. O'Neil introduced a bill entitled "An act to amend the General Business Law, chapter twenty of the Consolidated Laws, in relation to certified public accountants" (Int. No. 790), which was read the first time and referred to the committee on general laws.

Mr. Donnelly introduced a bill entitled "An act to amend the Public Officers Law, in relation to official undertakings" (Int. No. 791), which was read the first time and referred to the committee on general laws.

Mr. LaReau introduced a bill entitled "An act directing the State Water Supply Commission to make an investigation and estimate and to prepare plans and specifications for the development of hydro-electric power at Niagara Falls and on the Niagara river and for the transmission and distribution of hydro-electric power and report, and making an appropriation therefor" (Int. No. 792), which was read the first time and referred to the committee on ways and means.

Mr. A. E. Smith introduced a bill entitled "An act reappropriating an unexpended balance for the improvement of the canals" (Int. No. 793), which was read the first time and referred to the committee on ways and means.

Mr. Sweet introduced a bill entitled "An act to amend the Code of Civil Procedure, relating to matrimonial actions" (Int. No. 794), which was read the first time and referred to the committee on codes.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. J. S. Phillips (No. 97, Int. No. 97), entitled "An act to revive and extend the corporate existence of Kenmore Improvement Company of Buffalo, New York," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Colne (No. 664, Int. No. 629), entitled "An act to amend chapter five hundred and nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to provide for the establishment of a botanic garden and arboretum on park lands in the city of Brooklyn and for the care of the same,' generally."

Also, Assembly bill introduced by Mr. Monczynski (No. 639, Int. No. 607), entitled "An act to amend section three hundred and ten of chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter eighty-three of the Laws of eighteen hundred and ninety-eight, relating to the removal of snow and ice from the sidewalks on the parks, parkways and park approaches in said city," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill (No. 389, Int. No. 380) introduced by Mr. Boylan, entitled "An act to amend the Greater New York charter, in relation to the establishment of day nurseries and the acquisition of land and buildings therefor," reported in favor of the passage of the same, with the following amendment:

Strike out on page 2 all of the matter beginning with the new sentence on line 2 to line 16 and insert in place thereof the following: "If authorized by the board of estimate and apportionment, he may select and cause to be acquired therefor, in the name and on behalf of the city of New York, in the manner provided by chapter twenty-one of this act, the land, together with the buildings thereon, situated at the northwest corner of Tenth avenue and Fiftieth street, in the borough of Manhattan, city of New York, which premises are known as five hundred and one West Fiftieth street, together with such other land and buildings situated in the city of New York as he may deem needed therefor, and the acquisition of which the board of estimate and apportionment shall approve."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Sweet (No. 208, Int. No. 207), entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to bonds for the construction of certain sewers therein and a sewage disposal plant therefor, and exempting such matter from the provisions of section six of the General Municipal Law," reported the same with the following amendments:

Page 1, insert in the title after the word "bonds" the words "and contracts".

Page 2, line 16, strike out words "at once".

Line 19, strike out word "west" and insert in place thereof the word "east".

Page 3, line 4, strike out the words "at once".

Page 4, line 15, before the word section insert the following: "No part of the construction of this section authorized shall be undertaken until the plans and specifications for the sewers herein provided shall have been approved by an expert engineer chosen by the mayor and the common council of the city of Oswego. The construction herein authorized shall be done by contract awarded to the lowest responsible bidder after advertisement for bidders for not less than twenty days daily in the official papers of said city and for three successive weeks in the Engineering News. The bonds herein authorized to be issued shall not be sold until the contracts for the construction of the work herein provided for shall have been awarded as herein set forth. Nothing in this act contained shall be construed as prohibiting the construction by contract of the east side trunk sewer, so called, and the west side sewer and disposal plant as two separate contracts."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Fay (No. 592, Int. No. 570), entitled "An act to amend the Greater New York charter, in relation to contracts and local improvements," reported the same with the following amendment:

Page 2, line 9, strike out word "ten" and insert in place thereof the word "three."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. McCue (No. 783, Int. No. 716), entitled "An act to amend the Greater New York charter, in relation to revocation of auctioneers' licenses," reported the same with the following amendments:

Page 1, line 3, strike out words "and amended by chapter four."

Strike out lines 4, 5 and 6, and on line 7 strike out words "Laws of nineteen hundred and ten."

Page 2, line 5, strike out the bracket.

Line 11, strike out bracket and the word "the" at the end of the line.

Strike out lines 12, 13, 14, 15, and on line 16 strike out the word "man" and the period "." at the beginning of the line.

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Jackson (No. 80, Int. No. 80), entitled "An act to promote the health and efficiency of policemen in cities of the first and second class," reported the same with the following amendments:

Page 2, line 4, strike out the word "similar."

Page 2, line 11, strike out the word "shall."

Line 12, strike out the words "be changed once in each calendar week; and of", and insert in place thereof the word "or."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Foley, from the committee on affairs of cities, to which was referred Senate bill introduced by Mr. Wainwright (No. 51, Rec. No. 16), entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the annual budget of the board of education," reported in favor

of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Bridenbecker (No. 186, Int. No. 185), entitled "An act to authorize the town of Frankfort in Herkimer county to provide for the construction of a State highway of additional width and pay the expense thereof."

Also, Assembly bill introduced by Mr. T. K. Smith (No. 794, Int. No. 727), entitled "An act creating the office of keeper of the county home in the county of Onondaga, and prescribing his powers and duties," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Martin, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. Connell (No. 39, Int. No. 39), entitled "An act to amend the Village Law, in relation to compensation of president and trustees of villages of the first class."

Also, Assembly bill introduced by Mr. Blauvelt (No. 222, Int. No. 220), entitled "An act to amend the Village Law, in relation to borrowing money."

Also, Assembly bill introduced by Mr. Young (No. 659, Int. No. 624), entitled "An act in relation to the boundaries of the village of Briarcliff Manor."

Also, Assembly bill introduced by Mr. Winters (No. 674, Int. No. 639), entitled "An act to amend the Village Law, in relation to the compensation of certain village officers," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Martin, from the committee on affairs of villages, to which was referred Assembly bill (No. 381, Int. No. 372) introduced by Mr. Cosad, entitled "An act to legalize certain proceedings of the village of Waterloo, in Seneca county, its legal voters, trustees, officers and agents relating to the establishment of a sewer system and disposal plant, including the making of contracts and issue of village bonds therefor, and to authorize the execution and sale of such bonds and provide for their payment from moneys to be

raised by taxation in said village," reported in favor of the passage of the same, with the following amendment:

Page 3, line 25, section 5, strike out the word " immediately ".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 744, Int. No. 682), entitled "An act to amend section fifteen of the Personal Property Law relating to trust funds," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cuvillier, from the committee on military affairs, to which was referred Assembly bill introduced by Mr. Cuvillier (No. 680, Int. No. 644), entitled "An act to amend the Military Law, in relation to enlistments and re-enlistments," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Wende, from the committee on labor and industries, to which was referred Assembly bill introduced by Mr. Jackson (No. 262, Int. No. 260), entitled "An act to amend the Labor Law, in relation to hours of labor of minors and women," reported the same with the following amendment:

On page 4 in line 8 bracket out the word " twelve " and insert the word " ten " in place thereof in italics.

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Graubard, from the committee on public printing, to which was referred the resolution relative to printing during the session for the use of the Assembly five hundred additional copies of each general bill of the Assembly, reported in favor of the adoption of the following resolution:

Resolved, That there be printed during the season for the use of the Assembly five hundred additional copies of each general bill of the Assembly as designated by the Clerk.

which report was agreed to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 143
NOES 00

Those who voted in the affirmative were:

Adler	Donnelly	Hearn	McGrath	Shlivek
Ahern	Donovan	Herrick J J	McKeon	Shortt
Allen	Drummond	Herrick W R	Merritt	Smith T K
Baumes	Ebbetts	Heyman	Miller	Spielberg
Beach	Egan	Higgins	Monczynski	Stivers
Boylan	Evans	Hinman	Mork	Sullivan
Brace	Farrell	Hoey	Murray	Sweet
Brennan	Fay	Hoff	Myers	Talmage
Bridenbecker	Filley	Hollmann	Neupert	Terry
Brooks	Fitzpatrick	Hoyt	Nolan	Thorn
Brown	Foley	Huber	O'Connor	Trombly
Bryant	Friedman	Jackson	Oliver	Turley
Bush	Fry	Jameson	O'Neill J J	Walker
Butler	Geatons	Jones	O'Neil M A	Ward
Carew	Gerhardt	Kennedy	Pappert	Waring
Caughlan	Gerken	Keys	Parker A	Warren
Chanler	Gillen	Lansing	Parker J S	Washburn
Cheney	Goldberg	LaReau	Patrie	Waters F A
Coffey	Goldstein	Lent	Phillips C W	Waters R B
Collin	Goodman	Levy A J	Phillips J S	Weil
Colné	Goodwin	Levy J	Pierce	Wende
Connell	Gould	Lincoln	Saunders	Wheeler
Constantine	Graubard	Macdonald	Schifferdecker	White
Cosad	Gray	MacGregor	Seeley	Wilson
Croes	Gregg	Manley	Shannon	Winters
Cuvillier	Hackett	Martin	Shea	Yeomans
Dawson	Haines	McCue	Sheide	Young
Day	Hart	McDaniels	Shepardson	Zorn
DeLano	Hammond	McElligott		

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Cuvillier (No. 732, Int. No. 437), entitled "An act to amend the Military Law, in relation to enlisted men of the National Guard and Naval Militia."

Also, the Senate bill introduced by Mr. Ramsperger (No. A. 770, Int. No. S. 43), entitled "An act to amend chapter one hundred and fifteen of the Laws of nineteen hundred and nine, entitled 'An act authorizing the city of Buffalo to construct, equip and maintain a municipal hospital or hospitals either within or outside the limits of said city, for the exclusive care and treatment of persons affected with incipient tuberculosis, and authorizing said city to acquire lands for such purposes and to borrow

money therefor by the issue of bonds,' increasing the aggregate amount which said city may borrow for such purposes, and increasing the maximum rate of interest on such bonds."

Also, the bill introduced by Mr. Mork (No. 737, Int. No. 289), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to authority to set aside judgments for error in fact."

Also, the bill introduced by Mr. Huber (No. 739, Int. No. 348), entitled "An act to amend the Code of Civil Procedure, in relation to challenges to jury."

Also, the bill introduced by Mr. Goldberg (No. 740, Int. No. 586), entitled "An act to exempt the real estate of charitable infant asylum corporations in the State of New York from certain assessments for public improvements," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Cuvillier (No. 731, Int. No. 436), entitled "An act amend the Military Law, in relation to commissioned officers of the National Guard," reported the same with the following recommendation:

On page 3, line 14, change "the" before "immediate" to their."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Murray (No. 736, Int. No. 127), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' with reference to the opening of defaults or dismissals, and vacating judgments and final orders," reported the same with the following recommendations:

On page 1, line 6, italicize "or a justice."

On page 2, line 1, italicize "thereof," and also in the same line italicize "or dismissal."

On page 2, line 2, italicize the following sentence: "or in

which judgment is taken or final order made without the service of a summons or of process as required by law."

On page 2, line 5, italicize "or dis-", also in line 6 italicize "missal."

On page 2, line 7, change "thereon" from italics to roman.

Also in line 7, italicize "in any such action or proceeding."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the County Law, in relation to trusts for maintenance of cemetery lots and appurtenances." (No. 720, Int. No. 183.)

"An act to amend the Public Officers Law, in relation to vacations for persons in the service of the State and of the several civil subdivisions thereof." (No. 723, Int. No. 147.)

"An act to amend the Tax Law, in relation to receipts by collectors and receivers of taxes." (No. 722, Int. No. 264.)

"An act to ratify and confirm the proceedings of the village of Angola in the county of Erie in the matter of the sale and issuance of its bonds in the amount of fifty-five thousand dollars for the construction of a water works system in and for said village and to legalize said bonds and to provide for the payment of the interest and principal thereof." (No. 717, Int. No. 241.)

"An act to provide for a supply of pure and wholesome water for the city of Mount Vernon; and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects." (No. 724, Int. No. 136.)

"An act to amend the Greater New York charter, in relation to notice to be given to the people of the State of New York and to the city of New York on the foreclosure of tax liens." (No. 718, Int. No. 184.)

"An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and mar-

shals,' in relation to authority to set aside judgments for error in fact." (No. 737, Int. No. 289.)

"An act to amend the Code of Civil Procedure, in relation to challenges to jury." (No. 739, Int. No. 348.)

"An act to amend chapter one hundred and fifteen of the Laws of nineteen hundred and nine, entitled 'An act authorizing the city of Buffalo to construct, equip and maintain a municipal hospital or hospitals either within or outside the limits of said city, for the exclusive care and treatment of persons affected with incipient tuberculosis, and authorizing said city to acquire lands for such purposes and to borrow money therefor by the issue of bonds,' increasing the aggregate amount which said city may borrow for such purposes, and increasing the maximum rate of interest on such bonds." (No. 770, Rec. No. 11.)

"An act to exempt the real estate of charitable infant asylum corporations in the State of New York from certain assessments for public improvements." (No. 740, Int. No. 586.)

"An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally." (No. 800, Int. No. 133.)

"An act to legalize, ratify and confirm the proceedings of the village of Cherry Creek in the county of Chautauqua, in the matter of raising the sum of thirty thousand dollars for the construction of a pressure water system for said village; to legalize, ratify and confirm the sale and issuance of the bonds of said village in the amount of twenty-five thousand dollars of said sum; to authorize the sale and issuance of the bonds of said village for the balance thereof; and to provide for the payment of the interest and principal of said bonds." (No. 802, Int. No. 74.)

Mr. Saunders offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the Senate bill (No. 32, Rec. No. 17), entitled "An act to authorize the city of Hudson to borrow money for street improvements, and to issue the bonds of the city therefor."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Saunders, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Saunders, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 143
NOES 00

Those who voted in the affirmative were:

Adler	Donnelly	Hearn	McGrath	Shlivek
Ahern	Donovan	Herrick J J	McKeon	Shortt
Allen	Drummond	Herrick W R	Merritt	Smith T K
Baumes	Ebbetts	Heyman	Miller	Spielberg
Beach	Egan	Higgins	Monczynski	Stivers
Boylan	Evans	Hinman	Mork	Sullivan
Brace	Farrell	Hoey	Murray	Sweet
Brennan	Fay	Hoff	Myers	Talmage
Bridenbecker	Filley	Hollmann	Neupert	Terry
Brooks	Fitzpatrick	Hoyt	Nolan	Thorn
Brown	Foley	Huber	O'Connor	Trombly
Bryant	Friedman	Jackson	Oliver	Turley
Bush	Fry	Jameson	O'Neill J J	Walker
Butler	Geatons	Jones	O'Neil M A	Ward
Carew	Gerhardt	Kennedy	Pappert	Waring
Caughlan	Gerken	Keys	Parker A	Warren
Chanler	Gillen	Lansing	Parker J S	Washburn
Cheney	Goldberg	LaReau	Patrie	Waters F A
Coffey	Goldstein	Lent	Phillips C W	Waters R B
Collin	Goodman	Levy A J	Phillips J S	Weil
Colné	Goodwin	Levy J	Pierce	Wende
Connell	Gould	Lincoln	Saunders	Wheeler
Constantine	Graubard	Macdonald	Schifferdecker	White
Cosad	Gray	MacGregor	Seeley	Wilson
Cross	Gregg	Manley	Shannon	Winters
Cuvillier	Hackett	Martin	Shea	Yeomans
Dawson	Haines	McCue	Sheide	Young
Day	Hart	McDaniels	Shepardson	Zorn
DeLano	Hammond	McElligott		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 105, Int. No. 105) entitled "An act to amend the

Highway Law, in relation to the courses and descriptions of route six of the State highway system," having been announced for a second reading,

On motion of Mr. Foley, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 585, Int. No. 563) entitled "An act to amend chapter two hundred and sixty-eight of the Laws of eighteen hundred and ninety-one, entitled 'An act in relation to the office of sheriff in the county of Columbia,' in relation to the salary and disbursements of the sheriff," having been announced for a second reading,

On motion of Mr. Saunders, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 647, Int. No. 196) entitled "An act to amend chapter four hundred and thirty-one of the Laws of nineteen hundred and nine, entitled 'An act to establish a public school teachers' retirement fund in Westchester county,' in relation to the sources of said fund, payments into and from the same, persons entitled to annuities and other moneys payable therefrom and the amount of any such annuity," was read the second time.

On motion of Mr. Young, said bill was placed on the order of third reading.

On motion of Mr. Young, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 143
NOES 00

Those who voted in the affirmative were:

Adler	Donnelly	Hearn	McGrath	Shlivek
Ahern	Donovan	Herrick J J	McKeon	Shortt
Allen	Drummond	Herrick W R	Merritt	Smith T K
Baumes	Ebbetts	Heyman	Miller	Spielberg

Beach	Egan	Higgins	Monczynski	Stivers
Boylan	Evans	Hinman	Mork	Sullivan
Brace	Farrell	Hoey	Murray	Sweet
Brennan	Fay	Hoff	Myers	Talmage
Bridenbecker	Filley	Hollmann	Neupert	Terry
Brooks	Fitzpatrick	Hoyt	Nolan	Thorn
Brown	Foley	Huber	O'Connor	Trombly
Bryant	Friedman	Jackson	Oliver	Turley
Bush	Fry	Jameson	O'Neill J J	Walker
Butler	Geatons	Jones	O'Neil M A	Ward
Carew	Gerhardt	Kennedy	Pappert	Waring
Caughlan	Gerken	Keys	Parker A	Warren
Chanler	Gillen	Lansing	Parker J S	Washburn
Cheney	Goldberg	LaReau	Patrie	Waters F A
Coffey	Goldstein	Lent	Phillips C W	Waters R B
Collin	Goodman	Levy A J	Phillips J S	Weil
Colné	Goodwin	Levy J	Pierce	Wende
Connell	Gould	Lincoln	Saunders	Wheeler
Constantine	Graubard	Macdonald	Schifferdecker	White
Cosad	Gray	MacGregor	Seeley	Wilson
Cross	Gregg	Manley	Shannon	Winters
Cuvillier	Hackett	Martin	Shea	Yeomans
Dawson	Haines	McCue	Sheide	Young
Day	Hart	McDaniels	Shepardson	Zorn
DeLano	Hammond	McElligott		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Black	Fiero	Harte	Murtaugh	Ramsperger	
Cronin	Frawley	Long	O'Brien	Sullivan T D	
Cullen	Gittins	McClelland	Pollock	Wagner	
Ferris	Griffin				17

FOR CHAUNCEY M. DEPEW.

Allen	Emerson	Ormrod	Sage	Travis	
Argetsinger	Griffith	Platt	Thomas	Walters	
Bussey	Hewitt				12

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR M. J. O'BRIEN.

Loomis	1

FOR WILLIAM SULZER.

White 1

FOR EDWARD LAZANSKY.

Duhamel 1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Coates with Mr. Bayne; Mr. Cobb with Mr. Harden; Mr. Hamilton with Mr. Sanner; Mr. Heacock with Mr. McManus; Mr. Wainwright with Mr. Stilwell; Mr. Rose with Mr. C. D. Sullivan.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Boylan	Fay	Gregg	Manley	Patrie	
Brennan	Fitzpatrick	Hackett	McCue	Schifferdecker	
Bush	Foley	Hearn	McElligott	Seeley	
Carew	Frisbie	Herrick J J	McGrath	Sheide	
Caughlan	Geatons	Herrick W R	McKeon	Spielberg	
Collin	Gerhardt	Heyman	Monczynski	Turley	
Cuvillier	Gerken	Hoey	Mork	Walker	
Dawson	Gillen	Jackson	Neupert	Warren	
Donnelly	Goldberg	Jameson	Oliver	Washburn	
Donovan	Goldstein	LaReau	O'Neill J J	Weil	
Egan	Gould	Levy A J	O'Neil M A	Wende	
Farrell	Graubard	Levy J	Parker A	Zorn	60

FOR CHAUNCEY M. DEPEW.

Adler	Constantine	Hinman	Parker J S	Talmage	
Ahern	Cross	Hoff	Phillips C W	Thorn	
Allen	DeLano	Jones	Phillips J S	Ward	
Baumes	Ebbetts	Keys	Pierce	Waring	
Brooks	Filley	Lansing	Shannon	Waters F A	
Brown	Goodman	Lent	Shea	Waters R B	
Bryant	Goodwin	Lincoln	Shepardson	White	
Butler	Gray	MacGregor	Shlivek	Wilson	
Cheney	Haines	Merritt	Smith T K	Winters	
Coffey	Hammond	Murray	Stivers	Yeomans	
Colné	Hart	Nolan	Sullivan	Young	
Connell	Higgins	Pappert	Sweet		59

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN H. GLYNN.

Saunders 1

FOR JOHN D. KERNAN.

Bridenbecker 1

FOR WILLIAM SULZER.

Myers 1

FOR MARTIN W. LITTLETON.

Beach	Evans	Hollmann	Kennedy	Terry	
Brace	Friedman	Hoyt	Martin	Trombly	
Cosad	Fry	Huber	Miller	Wheeler	
Drummond					16

FOR M. J. O'BRIEN.

Chanler	Shortt	2

FOR JOHN N. CARLISLE.

Day	1

FOR J. J. HOPPER.

O'Connor	1

When the roll was called the following pairs were announced:

Mr. A. E. Smith with Mr. Brereton; Mr. McDonald with Mr. Blauvelt; Mr. Yale with Mr. Gurnett.

Whole number of votes cast	177
Necessary to a choice	89

	Senators.	Assemblymen.	Total.
For William F. Sheehan	17	60	77
For Chauncey M. Depew	12	59	71
For Alton B. Parker	0	1	1
For Martin W. Littleton	2	16	18
For Martin H. Glynn	0	1	1
For John D. Kernan	0	1	1
For M. J. O'Brien	1	2	3
For William Sulzer	1	1	2
For John N. Carlisle	0	1	1
For John J. Hopper	0	1	1
For Edward Lazansky	0	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Thursday, March 2d, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election

of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Thursday, March 2d, at 12 o'clock noon in the Assembly chamber.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *February* 28, 1911.

Whereas, The joint committee of Senate and Assembly appointed by the Legislature of 1910 to inquire into the financial management of certain State institutions has taken testimony, and made investigation into the financial management of some of such institutions, and such committee is now engaged in preparing its report, and is in need of further time to complete the same; therefore, be it

Resolved (if the Assembly concur), That the time for such committee to make and present its report to the Legislature be extended from March first to March fifteenth, nineteen hundred and eleven.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. C. W. Phillips offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 101, Int. No. 101), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the fire pension fund," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *February* 27, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill (No. 283, Int. No. 281), entitled "An act to ratify, confirm and legalize the proceedings of the town of Irondequoit in the county of Monroe, had and taken in the matter of the establishment of a water district in said town; the sale, award and issuance of the bonds of said town to pay for the cost of constructing a water system in said water district; and to provide for the payment of said bonds."

The Senate returned the concurrent resolution in relation to discriminations against American citizens in Russia, with a message that they have concurred in the passage of the same without amendment.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 101, Int. No. 101), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the fire pension fund," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The privileges of the floor were extended to Hon. B. R. Robinson and Hon. Myron Smith.

On motion of Mr. A. E. Smith, the House adjourned.

THURSDAY, MARCH 2, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Foley, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Military Law, in relation to the military

secretary to the Governor" (No. 432, Rec. No. 32), which was read the first time and referred to the committee on military affairs.

"An act to amend the Code of Civil Procedure, in relation to determining the jurisdiction of the Court of Appeals upon an appeal from an order" (No. 109, Rec. No. 33), which was read the first time and referred to the committee on codes.

"An act to amend the Code of Civil Procedure, in relation to the form of an order [for the purposes of appeal]" (No. 422, Rec. No. 34), which was read the first time and referred to the committee on codes.

Mr. Cross introduced a bill entitled "An act to amend chapter six hundred and fifty of the Laws of nineteen hundred an four, entitled 'An act to revise the charter of the city of Rome,' generally" (Int. No. 795), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to provide for the construction of a wall from East Thomas to Garden streets in the city of Rome on the Black River canal, between said canal and Beecham avenue, and for filling up said Beecham avenue between East Thomas and Garden streets and making an appropriation therefor" (Int. No. 796), which was read the first time and referred to the committee on ways and means.

Also, "An act to authorize the moving of lock number one of the Black River canal to a point north of East Dominick street, in the city of Rome, and the construction of a new iron bridge over the Black River canal at said East Dominick street and making an appropriation therefor" (Int. No. 797), which was read the first time and referred to the committee on ways and means.

Also, "An act to authorize the construction of a new iron bridge with double driveways and sidewalks over the Black River canal at Stanwix street in the city of Rome and making an appropriation therefor" (Int. No. 798), which was read the first time and referred to the committee on ways and means.

Also, "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of The Burt Olney Canning Company against the State for damages alleged to have

been sustained by it and to render judgment therefor" (Int. No. 799), which was read the first time and referred to the committee on ways and means.

Mr. Gerken introduced a bill entitled "An act to amend the Penal Law, in relation to explosives and combustibles" (Int. No. 800), which was read the first time and referred to the committee on codes.

Mr. Goldberg introduced a bill entitled "An act to amend the Education Law, in relation to establishing a State veterinary college at New York University in the city of New York" (Int. No. 801), which was read the first time and referred to the committee on ways and means.

Mr. Hackett introduced a bill entitled "An act to amend the Greater New York charter, relative to proceedings taken by commissioner of docks" (Int. No. 802), which was read the first time and referred to the committee on affairs of cities.

Mr. Hammond introduced a bill entitled "An act to amend chapter twenty of the Laws of nineteen hundred and six, entitled 'An act creating the office of purchasing agent for the county of Onondaga, and prescribing his powers and duties,' generally" (Int. No. 803), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Penal Law, in relation to enticing inmates from certain State institutions" (Int. No. 804), which was read the first time and referred to the committee on codes.

Mr. Jackson introduced a bill entitled "An act to amend the Public Health Law, in relation to licensing barbers" (Int. No. 805), which was read the first time and referred to the committee on public health.

Mr. Lent introduced a bill entitled "An act to incorporate the Rite of Adoption of the World, Order of the Amaranth" (Int. No. 806), which was read the first time and referred to the committee on charitable and religious societies.

Also, "An act to amend the Civil Service Law, in relation to power of removal" (Int. No. 807), which was read the first time and referred to the committee on the judiciary.

Mr. A. J. Levy introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to appointment of

probation officers for the court of general sessions in the city and county of New York" (Int. No. 808), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Judiciary Law, in relation to salaries of the official interpreters in the court of general sessions of the peace in and for the county of New York" (Int. No. 809), which was read the first time and referred to the committee on the judiciary.

Mr. Miller introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to judgment upon appeal from a justice's court" (Int. No. 810), which was read the first time and referred to the committee on codes.

Mr. Mork introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the sale of real property pursuant to a judgment" (Int. No. 811), which was read the first time and referred to the committee on codes.

Mr. A. Parker introduced a bill entitled "An act in relation to requiring the New York Central and Hudson River Railroad Company to erect and maintain a bridge or viaduct for pedestrians at Eighty-third street and Riverside drive in the city of New York" (Int. No. 812), which was read the first time and referred to the committee on railroads.

Mr. Seeley introduced a bill entitled "An act to amend the Highway Law, in relation to the course and description of State route number four" (Int. No. 813), which was read the first time and referred to the committee on internal affairs.

Mr. Shea introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the identification, establishment and preservation of boundaries and landmarks in the forest preserve counties" (Int. No. 814), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Sheide introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to local option in the village of Sag Harbor, in the county of Suffolk" (Int. No. 815), which was read the first time and referred to the committee on excise.

Mr. Spielberg introduced a bill entitled "An act to amend the Penal Law, in relation to gifts or lottery enterprises" (Int. No.

816), which was read the first time and referred to the committee on codes.

Also, "An act to amend the General Business Law, in relation to examinations by State Comptroller of private bankers and banking" (Int. No. 817), which was read the first time and referred to the committee on general laws.

Mr. Brown introduced a bill entitled "An act to amend the charter of the city of Cortland in relation to the medical and dental examination of children in the public schools and in the State Normal School in said city" (Int. No. 818), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the charter of the city of Cortland in relation to the collection of ashes and garbage in said city" (Int. No. 819), which was read the first time and referred to the committee on affairs of cities.

Mr. Hoey introduced a bill entitled "An act to amend an act in relation to the civil service of the State of New York and the civil divisions and cities thereof, constituting chapter seven of the Consolidated Laws" (Int. No. 820), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Real Property Law, in relation to recording certain executory contracts of sale in cities containing one or more counties" (Int. No. 821), which was read the first time and referred to the committee on general laws.

Mr. Washburn introduced a bill entitled "An act to amend the County Law, in relation to official publications in Ulster county" (Int. No. 822), which was read the first time and referred to the committee on internal affairs.

Mr. Thorn introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to open season for pheasants in Erie county" (Int. No. 823), which was read the first time and referred to the committee on forestries, fisheries and game.

Also, "An act to amend section five hundred and seventy-two of the Code of Criminal Procedure, in relation to execution of undertakings for bail" (Int. No. 824), which was read the first time and referred to the committee on codes.

Also, "An act to amend section seven hundred and sixty-eight of the Code of Criminal Procedure, in relation to new trials" (Int. No. 825), which was read the first time and referred to the committee on codes.

Mr. Goodman introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to proof of wills or codicils during the lifetime of the testator" (Int. No. 826), which was read the first time and referred to the committee on codes.

Mr. Donnelly introduced a bill entitled "An act to authorize the comptroller of the city of New York to cancel certain assessments on real property for the improvement of Grand street, in the borough of Brooklyn, from Hooper street to Bridge Plaza and to provide for the refunding of such assessments heretofore paid" (Int. No. 827), which was read the first time and referred to the committee on affairs of cities.

Mr. Oliver, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. A. E. Smith (No. 525, Int. No. 510), entitled "An act to provide for the payment of the balance due newspapers for the publication of concurrent resolutions of the Legislature of nineteen hundred and ten, proposing amendments to the Constitution of this State, and for deficiency in appropriation for the publication of other official notices required to be published as provided by law, which are subject to contract," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Walker (No. 255, Int. No. 254), entitled "An act to amend chapter fifteen of the Laws of nineteen hundred and nine, entitled 'An act in relation to the civil service of the State of New York and the civil divisions and cities thereof, constituting chapter seven of the Consolidated Laws,' as amended by chapter two hundred and sixty-four of the Laws of nineteen hundred and ten, in relation to the power of removal," reported the same with the following amendments:

Page 2, line 3, between words "section" and "shall" insert "and of the next succeeding section."

Page 2, line 24, after the comma ",", succeeding the word "fireman", strike out all the words or parts of words in italics.

Page 2, lines 25 and 26, strike out all words or parts of words in italics.

Page 3, lines 2, 3 and 4, strike out words or parts of words in italics.

Page 4, line 16, after the bracket "[]" and before the word "whenever" insert "Section 2. Such chapter is hereby further amended by adding after section 22, a new section to be section 22a thereof to read as follows: Section 22a. Suspension of employees:"

Page 5, line 21, strike out all commencing with and following the word "Nothing" on said line and strike out all of lines 22, 23, 24 and 25, and insert instead: "Nothing in this section shall be construed to apply to the position, *in the exempt or non-competitive class or grade,* of private secretary, cashier or deputy of any official or department, *nor affect the rights of honorably discharged soldiers, sailors, or marines, or volunteer firemen as hereinbefore provided.*"

Page 5 make § 2 read § 3.

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 46, Int. No. 46) introduced by Mr. Patrie, entitled "An act to amend the Code of Civil Procedure, relative to the service of summons," reported in favor of the passage of the same, with the following amendments:

On page 1, amend title to read as follows: "To amend the Code of Civil Procedure, relative to cases in which service of summons by publication, etc., may be ordered."

On page 2, line 15, strike out the word "immediately" and insert in its place the words "September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was recommitted Assembly bill introduced by Mr. M. A. O'Neil (No. 515, Int. No. 60), entitled "An act to amend the Code of Civil Procedure, relating to the examination by the surrogate of the county wherein the witnesses reside of the subscribing witnesses

to a will offered for probate in another county," retaining its place on the order of second reading, reported in favor of the passage of the same, with the following amendment:

On page 2, line 14, after the word "filed" insert in italics the following words: "the latter surrogate may".

which report was agreed to, and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Chanler, from the committee on codes, to which was recommitted Assembly bill introduced by Mr. Ward (No. 607, Int. No. 53), entitled "An act to amend the Penal Law, in relation to kidnapping," reported in favor of the passage of the same, with the following amendments:

On page 1, line 9, insert a comma after the word "another" and strike out the word "person".

On page 2, line 16, change type of the words "nor more than fifty years" from italics to roman.

which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill introduced by Mr. J. J. Herrick (No. 455, Int. No. 446), entitled "An act to amend the General Business Law, in relation to pawnbrokers."

Also, Assembly bill introduced by Mr. Egan (No. 468, Int. No. 459), entitled "An act to amend the General Business Law, in relation to the certification of public accountants."

Also, Assembly bill introduced by Mr. Patrie (No. 412, Int. No. 403), entitled "An act to amend the Public Service Commissions Law, in relation to the issuance of free passes, or franks, by telephone or telegraph companies."

Also, Assembly bill introduced by Mr. Oliver (No. 532, Int. No. 516), entitled "An act to amend the General Municipal Law, in relation to examiners of accounts of municipalities."

Also, Assembly bill introduced by Mr. Constantine (No. 320, Int. No. 319), entitled "An act to amend the County Law, relative to additional official duties of the district attorney of Niagara county and to provide for his disbursements in the performance of the same," reported in favor of the passage of the same without

amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Wende (No. 751, Int. No. 689), entitled "An act to legalize certain bonds of the county of Erie," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cuvillier, from the committee on military affairs, to which was referred Assembly bill introduced by Mr. LaReau (No. 108, Int. No. 108), entitled "An act to authorize the Adjutant-General to reopen, try and determine the claim made by John A. Morrisey, private, Seventy-fourth Regiment Infantry, National Guard, for expenses for an operation resulting from injuries received during service."

Also, Assembly bill introduced by Mr. Cuvillier (No. 682, Int. No. 646), entitled "An act to amend the Military Law, in relation to allowances and devises and bequests to cavalry organizations," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Hoey (No. 744, Int. No. 682), entitled "An act to amend section fifteen of the Personal Property Law, relating to trust funds."

Also, the bill introduced by Mr. Monczynski (No. 639, Int. No. 607), entitled "An act to amend section three hundred and ten of chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter eighty-three of the Laws of eighteen hundred and ninety-eight, relating to the removal of snow and ice from sidewalks on the parks, parkways and park approaches in said city."

Also, the bill introduced by Mr. J. S. Phillips (No. 97, Int. No. 97), entitled "An act to revise and extend the corporate existence of Kenmore Improvement Company of Buffalo, New York."

Also, the bill introduced by Mr. Cuvillier (No. 680, Int. No.

644), entitled "An act to amend the Military Law, in relation to enlistments and re-enlistments."

Also, the bill introduced by Mr. Young (No. 659, Int. No. 624), entitled "An act in relation to the boundaries of the village of Briarcliff Manor."

Also, the bill introduced by Mr. Bridenbecker (No. 186, Int. No. 185), entitled "An act to authorize the town of Frankfort in Herkimer county to provide for the construction of a State highway of additional width and pay the expense thereof," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Blauvelt (No. 222; Int. No. 220), entitled "An act to amend the Village Law, in relation to borrowing money," reported the same with the following recommendation:

On page 2, line 20, start new paragraph after the word " law ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Military Law, in relation to armories." (No. 816, Int. No. 439.)

"An act to amend the Military Law, in relation to commissioned officers of the National Guard." (No. 830, Int. No. 436.)

"An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' with reference to the opening of defaults or dismissals, and vacating judgments and final orders." (No. 829, Int. No. 127.)

"An act to amend chapter four hundred and thirty-one of the Laws of nineteen hundred and nine, entitled 'An act to establish a public school teachers' retirement fund in Westchester county,' in relation to the sources of said fund, payments into and from the same, persons entitled to annuities and other moneys payable therefrom and the amount of any such annuity." (No. 647, Int. No. 196.)

"An act to amend the County Law, in relation to the compensation of supervisors and assessors in attending meetings of the State Board of Tax Commissioners." (No. 815, Int. No. 457.)

"An act to amend the Military Law, in relation to enlisted men of the National Guard and Naval Militia." (No. 732, Int. No. 437.)

Mr. Cross offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on agriculture be discharged from the further consideration of the bill (No. 72, Int. No. 73) entitled "An act to amend the Agricultural Law, in relation to the adulteration of food products."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Cross moved to amend by substituting therefor the following substitute bill:

(See Appendix No. 7.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Cross, said bill was ordered reprinted and recommitted to said committee.

Mr. Foley moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Dawson	Hearn	McCue	Shepardson
Ahern	Day	Herrick J J	McDaniels	Shlivek
Allen	DeLano	Herrick W R	McElligott	Shortt
Beach	Donnelly	Heyman	McKeon	Smith T K
Blauvelt	Ebbetts	Higgins	Merritt	Stivers
Boylan	Egan	Hinman	Miller	Sweet
Brace	Evans	Hoey	Monczynski	Talmage
Brennan	Farrell	Hoff	Mork	Thorn
Bridenbecker	Fay	Hollmann	Myers	Trombly
Brooks	Filley	Hoyt	Neupert	Turley
Brown	Foley	Huber	Nolan	Walker
Bryant	Friedman	Jackson	O'Connor	Ward
Bush	Fry	Jameson	Oliver	Waring
Carew	Geatons	Jones	O'Neill J J	Warren
Caughlan	Gerhardt	Kennedy	O'Neil M A	Washburn
Chanler	Goldberg	Keys	Pappert	Waters F A
Cheney	Goldstein	Kopp	Parker A	Weil
Coffey	Goodman	Lansing	Patrie	Wheeler

Collin	Goodwin	LaReau	Phillips J S	White
Colné	Gould	Lent	Pierce	Wilson
Connell	Graubard	Levy A J	Saunders	Winters
Constantine	Gregg	Macdonald	Schifferdecker	Yeomans
Cosad	Hackett	MacGregor	Seeley	Young
Cross	Haines	Manley	Shannon	Zorn
Cuvillier	Hart	Martin	Sheide	Speaker

Mr. Foley moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 744, Int. No. 682) entitled "An act to amend section fifteen of the Personal Property Law, relating to trust funds," was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 664, Int. No. 629) entitled "An act to amend chapter five hundred and nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to provide for the establishment of a botanic garden and arboretum on park lands in the city of Brooklyn for the care of the same,' generally."

Said bill having been announced, Mr. Colne moved to amend as follows:

Page 1 on line 7 after the words "city of" insert in italics the words "New York having jurisdiction of the boroughs of Brooklyn and Queens" and strike out the word "Brooklyn".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, and, on motion of Mr. Colne, was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 680, Int. No. 644) entitled "An act to amend the Military Law, in relation to enlistments and re-enlistments," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 639, Int. No. 607) entitled "An act to amend section three hundred and ten of chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter

eighty-three of the Laws of eighteen hundred and ninety-eight, relating to the removal of snow and ice from sidewalks on the parks, parkways and park approaches in said city," was read the second time.

On motion of Mr. Monczynski, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 97, Int. No. 97) entitled "An act to revise and extend the corporate existence of Kenmore Improvement Company of Buffalo, New York," was read the second time.

On motion of Mr. J. S. Phillips, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 51, Rec. No. 16) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the annual budget of the board of education," was read the second time.

On motion of Mr. Coffey, said bill was placed on the order of third reading.

On motion of Mr. Coffey, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McElligott	Shlivek
Ahern	DeLano	Herrick W R	McKeon	Shortt
Allen	Donnelly	Heyman	Merritt	Smith T K
Beach	Ebbetts	Higgins	Miller	Stivers
Blauvelt	Egan	Hinman	Monczynski	Sweet
Boylan	Evans	Hoey	Mork	Talmage
Brace	Farrell	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	O'Neil M A	Waring

Carew	Geatons	Kennedy	Pappert	Warren
Caughlan	Gerhardt	Keys	Parker A	Washburn
Chanler	Goldberg	Kopp	Parker J S	Waters F A
Cheney	Goldstein	Lansing	Patrie	Waters R B
Coffey	Goodman	LaReau	Phillips C W	Weil
Collin	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yeomans
Cuvillier	Hart	McCue	Sheide	Young
Dawson	Hearn	McDaniels	Shepardson	Zorn

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 186, Int. No. 185) entitled "An act to authorize the town of Frankfort in Herkimer county to provide for the construction of a State highway of additional width and pay the expense thereof," was read the second time.

On motion of Mr. Bridenbecker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 222, Int. No. 220) entitled "An act to amend the Village Law, in relation to borrowing money," was read the second time.

On motion of Mr. Blauvelt, said bill was placed on the order of third reading and referred to the committee on revision.

By unanimous consent, Mr. Connell offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of villages be discharged from the further consideration of Senate bill (No. 19, Rec. No. 30), entitled "An act to amend the Village Law, in relation to compensation of president and trustees of villages of the first class."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Connell, and by unanimous consent, said bill was read the second time and ordered to a third reading.

The bill (No. 39, Int. No. 39) entitled "An act to amend the Village Law, in relation to compensation of president and trustees of villages of the first class," having been announced for a second reading,

On motion of Mr. Connell, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 794, Int. No. 727) entitled "An act creating the office of keeper of the county home in the county of Onondaga, and prescribing his powers and duties," was read the second time.

On motion of Mr. T. K. Smith, said bill was placed on the order of third reading.

On motion of Mr. T. K. Smith, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McElligott	Shlivek
Ahern	DeLano	Herrick W R	McKeon	Shortt
Allen	Donnelly	Heyman	Merritt	Smith T K
Beach	Ebbetts	Higgins	Miller	Stivers
Blauvelt	Egan	Hinman	Monczynski	Sweet
Boylan	Evans	Hoey	Mork	Talmage
Brace	Farrell	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	O'Neil M A	Waring
Carew	Geatons	Kennedy	Pappert	Warren
Caughlan	Gerhardt	Keys	Parker A	Washburn
Chanler	Goldberg	Kopp	Parker J S	Waters F A
Cheney	Goldstein	Lansing	Patrie	Waters R B
Coffey	Goodman	LaReau	Phillips C W	Weil
Collin	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yeomans
Cuvillier	Hart	McCue	Sheide	Young
Dawson	Hearn	McDaniels	Shepardson	Zorn

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 674, Int. No. 639) entitled "An act to amend the Village Law, in relation to the compensation of certain village officers," having been announced for a second reading,

On motion of Mr. Winters, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 659, Int. No. 624) entitled "An act in relation to the boundaries of the village of Briarcliff Manor," was read the second time.

On motion of Mr. Young, said bill was placed on the order of third reading and referred to the committee on revision.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Black	Fiero	Harte	McClelland	Pollock	
Cronin	Gittins	Long	O'Brien	Wagner	
Ferris	Griffin				12

FOR CHAUNCEY M. DEPEW.

Allen	Emerson	Sage	Thomas	Travis	
Argetsinger	Ormrod				7

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR M. J. O'BRIEN.

Loomis	1

FOR WILLIAM SULZER.

White	1

FOR EDWARD LAZANSKY.

Duhamel	1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Coats with Mr. Bayne; Mr. Cobb with Mr. Harden; Mr. Hamilton with Mr. Sanner; Mr. Heacock with Mr. McManus; Mr. Wainwright with Mr.

Stilwell; Mr. Rose with Mr. C. D. Sullivan; Mr. Bussey with Mr. Cullen; Mr. Griffith with Mr. Frawley; Mr. Hewitt with Mr. Murtaugh; Mr. Platt with Mr. Ramsperger; Mr. Walters with Mr. T. D. Sullivan.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Farrell	Graubard	Manley	Patrie	
Boylan	Fay	Gregg	McCue	Schifferdecker	
Brennan	Foley	Hackett	McElligott	Seeley	
Bush	Frisbie	Hearn	McKeon	Sheide	
Carew	Geatons	Herrick J J	Monczynski	Turley	
Caughlan	Gerhardt	Heyman	Mork	Walker	
Collin	Gerken	Hoey	Neupert	Warren	
Cuvillier	Gillen	Jackson	Oliver	Washburn	
Dawson	Goldberg	Jameson	O'Neill J J	Weil	
Donnelly	Goldstein	LaReau	O'Neil M A	Zorn	
Egan	Gould	Levy A J	Parker A		54

FOR CHAUNCEY M. DEPEW.

Adler	Cross	Jones	Phillips J S	Thorn	
Ahern	DeLano	Keys	Pierce	Ward	
Allen	Ebbetts	Kopp	Shannon	Waring	
Brooks	Filley	Lansing	Shea	Waters F A	
Brown	Goodman	Lent	Shepardson	Waters R B	
Bryant	Goodwin	Macdonald	Shlivek	White	
Cheney	Haines	MacGregor	Smith T K	Wilson	
Coffey	Hart	Merritt	Stivers	Winters	
Colné	Higgins	Nolan	Sweet	Yeomans	
Connell	Hinman	Pappert	Talmage	Young	
Constantine	Hoff				52

FOR ALTON B. PARKER.

McDaniels 1

FOR JOHN D. KERNAN.

Bridenbecker 1

FOR M. J. O'BRIEN.

Chanler Shortt 2

FOR MARTIN W. LITTLETON.

Beach	Evans	Hoyt	Martin	Terry	
Brace	Friedman	Huber	Miller	Trombly	
Cosad	Hollmann	Kennedy	Saunders	Wheeler	
Drummond					16

FOR WILLIAM SULZER.

Myers 1

FOR JOHN N. CARLISLE.

Day 1

FOR J. J. HOPPER.

O'Connor 1

FOR LUKE D. STAPLETON.

Fry 1

When the roll was called the following pairs were announced:

Mr. Yale with Mr. Gurnett; Mr. Gray with Mr. Donovan; Mr. C. W. Phillips with Mr. J. Levy; Mr. Hammond with Mr. McGrath; Mr. Sullivan with Mr. Spielberg; Mr. Brereton with Mr. A. E. Smith; Mr. Lincoln with Mr. Wende; Mr. J. S. Parker with Mr. W. R. Herrick; Mr. Butler with Mr. Fitzpatrick.

Whole number of votes cast	154
Necessary to a choice	78

	Senators.	Assemblymen.	Total.
For William F. Sheehan	12	54	66
For Chauncey M. Depew	7	52	59
For Alton B. Parker	0	1	1
For Martin W. Littleton	2	16	18
For John D. Kernan	0	1	1
For M. J. O'Brien	1	2	3
For William Sulzer	1	1	2
For Luke D. Stapleton	0	1	1
For John N. Carlisle	0	1	1
For John J. Hopper	0	1	1
For Edward Lazansky	1	0	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Friday, March 3d, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Friday, March 3d, at 12 o'clock noon in the Assembly Chamber.

The bill (No. 729, Int. No. 154) entitled "An act to amend the Public Health Law, relating to cold storage and refrigerating warehouses and places, and the sale or disposition of the food kept or preserved therein," having been announced for a third reading,

On motion of Mr. Brennan, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 768, Int. No. 12) entitled "An act to amend the Greater New York charter, relative to the powers and duties of the commissioner of street cleaning," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129
NOES 1

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McKeon	Shortt
Ahern	DeLano	Herrick W R	Merritt	Smith T K
Allen	Donnelly	Heyman	Miller	Stivers
Beach	Ebbetts	Higgins	Monczynski	Sweet
Blauvelt	Egan	Hinman	Mork	Talmage
Boylan	Evans	Hoey	Myers	Terry
Brace	Farrell	Hoff	Neupert	Thorn
Brennan	Fay	Hollmann	Nolan	Trombly
Bridenbecker	Filley	Hoyt	O'Connor	Turley
Brooks	Fitzpatrick	Huber	Oliver	Walker
Brown	Foley	Jackson	O'Neill J J	Ward
Bryant	Friedman	Jameson	O'Neil M A	Waring
Bush	Fry	Jones	Pappert	Warren
Carew	Geatons	Kennedy	Parker A	Washburn
Caughlan	Gerhardt	Keys	Parker J S	Waters F A
Chanler	Goldberg	Lansing	Patrie	Waters R B
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodman	Lent	Phillips J S	Wende
Collin	Goodwin	Levy A J	Pierce	Wheeler
Colné	Gould	Macdonald	Saunders	White
Connell	Graubard	MacGregor	Schifferdecker	Wilson
Constantine	Gregg	Manley	Seeley	Winters
Cosad	Hackett	Martin	Shannon	Yeomans
Cross	Haines	McCue	Sheide	Young
Cuvillier	Hart	McDaniels	Shepardson	Zorn
Dawson	Hearn	McElligott	Shlivek	

In the negative:

Kopp

Ordered, That the Clerk deliver said bill to the Senate and repuest their concurrence therein.

The bill (No. 767, Int. No. 502) entitled "An act to amend the Greater New York charter, in regard to stage routes," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McElligott	Shlivek
Ahern	DeLano	Herrick W R	McKeon	Shortt
Allen	Donnelly	Heyman	Merritt	Smith T K
Beach	Ebbetts	Higgins	Miller	Stivers
Blauvelt	Egan	Hinman	Monczynski	Sweet
Boylan	Evans	Hoey	Mork	Talmage
Brace	Farrell	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	O'Neil M A	Waring
Carew	Geatons	Kennedy	Pappert	Warren
Caughlan	Gerhardt	Keys	Parker A	Washburn
Chanler	Goldberg	Kopp	Parker J S	Waters F A
Cheney	Goldstein	Lansing	Patrie	Waters R B
Coffey	Goodman	LaReau	Phillips C W	Weil
Collin	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yeomans
Cuvillier	Hart	McCue	Sheide	Young
Dawson	Hearn	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and repuest their concurrence therein.

The bill (No. 766, Int. No. 547) entitled "An act to amend the Insurance Law, in relation to reorganization of existing cor-

porations and amendment of certificates," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McElligott	Shlivek
Ahern	DeLano	Herrick W R	McKeon	Shortt
Allen	Donnelly	Heyman	Merritt	Smith T K
Beach	Ebbetts	Higgins	Miller	Stivers
Blauvelt	Egan	Hinman	Monczynski	Sweet
Boylan	Evans	Hoey	Mork	Talmage
Brace	Farrell	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	O'Neil M A	Waring
Carew	Geatons	Kennedy	Pappert	Warren
Caughlan	Gerhardt	Keys	Parker A	Washburn
Chanler	Goldberg	Kopp	Parker J S	Waters F A
Cheney	Goldstein	Lansing	Patrie	Waters R B
Coffey	Goodman	LaReau	Phillips C W	Weil
Collin	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yeomans
Cuvillier	Hart	McCue	Sheide	Young
Dawson	Heaın	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 733, Int. No. 277) entitled "An act to amend the Agricultural Law, in relation to cider vinegar," having been announced,

Mr. Miller moved that said bill be recommitted to the committee on agriculture, with instructions to report the same forthwith, amended as follows:

Page 1, line 1, strike out " seventy " and insert in place thereof " seventy-two ".

Page 1, strike out all of section 70 from line 6 on page 1 to and including line 8 on page 2, and insert in place thereof the following: "§ 72. Packages containing [cider] vinegar to be branded. Every manufacturer or producer of [cider] vinegar shall plainly brand on the head of each cask, barrel, or other container of such vinegar, his name and place of business [and the words 'cider vinegar'], *the kind of vinegar contained therein and the substance or substances from which it was made.* And no person shall mark or brand as or for cider vinegar any package containing that which is not cider vinegar. [Any vinegar sold or offered for sale shall be marked or branded plainly and conspicuously upon the package from which it is sold, in a manner to show its true character whether such vinegar be a pure vinegar or a mixture or blend of pure vinegar.] *Every person who sells any vinegar, except it be delivered to the purchaser in the unbroken package in which such seller received it, shall plainly and conspicuously mark or brand the receptacle or container in which such vinegar is delivered to the purchaser, whether such receptacle or container be furnished by the seller or purchaser, with a label showing the kind of vinegar so delivered and the substance or substances from which it was made. Nothing herein shall be deemed to prohibit the sale of cider vinegar stock. The term 'cider vinegar' stock, when used herein, shall be construed to mean pure apple juice which contains not less than two per centum of apple solids and sufficient alcohol to develop the amount of acidity required in vinegar."*

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cosad, from the committee on agriculture, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 769, Int. No. 226) entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McElligott	Shlivek
Ahern	DeLano	Herrick W R	McKeon	Shortt
Allen	Donnelly	Heyman	Merritt	Smith T K
Beach	Ebbetts	Higgins	Miller	Stivers
Blauvelt	Egan	Hinman	Moncsynski	Sweet
Boylan	Evans	Hoey	Mork	Talmage
Brace	Farrell	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	O'Neil M A	Waring
Carew	Geatons	Kennedy	Pappert	Warren
Caughlan	Gerhardt	Keys	Parker A	Washburn
Chanler	Goldberg	Kopp	Parker J S	Waters F A
Cheney	Goldstein	Lansing	Patrie	Waters R B
Coffey	Goodman	LaReau	Phillips C W	Weil
Collin	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yeomans
Cuvillier	Hart	McCue	Sheide	Young
Dawson	Hearn	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 720, Int. No. 183) entitled "An act to amend the County Law, in relation to trusts for maintenance of cemetery lots and appurtenances," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McElligott	Shlivek
Ahern	DeLano	Herrick W R	McKeon	Shortt

Allen	Donnelly	Heyman	Merritt	Smith T K
Beach	Ebbetts	Higgins	Miller	Stivers
Blauvelt	Egan	Hinman	Monczynski	Sweet
Boylan	Evans	Hoey	Mork	Talmage
Brace	Farrell	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	O'Neil M A	Waring
Carew	Geatons	Kennedy	Pappert	Warren
Caughlan	Gerhardt	Keys	Parker A	Washburn
Chanler	Goldberg	Kopp	Parker J S	Waters F A
Cheney	Goldstein	Lansing	Patrie	Waters R B
Coffey	Goodman	LaReau	Phillips C W	Weil
Collin	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yeomans
Cuvillier	Hart	McCue	Sheide	Young
Dawson	Hearn	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 723, Int. No. 147) entitled "An act to amend the Public Offices Law, in relation to vacations for persons in the service of the State and of the several civil subdivisions thereof," having been announced,

Mr. Hoey moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith, amended as follows:

Page 2, in line 3, after " and " insert " may extend such vacation ".

Mr. Speaker put the question whether the house would agree to said motion, and it was determined in the affirmative.

Mr. A. J. Levy, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 722, Int. No. 264) entitled "An act to amend the Tax Law, in relation to receipts by collectors and receivers of taxes," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McElligott	Shlivek
Ahern	DeLano	Herrick W R	McKeon	Shortt
Allen	Donnelly	Heyman	Merritt	Smith T K
Beach	Ebbetts	Higgins	Miller	Stivers
Blauvelt	Egan	Hinman	Monczynski	Sweet
Boylan	Evans	Hoey	Mork	Talmage
Brace	Farrell	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	O'Neil M A	Waring
Carew	Geatons	Kennedy	Pappert	Warren
Caughlan	Gerhardt	Keys	Parker A	Washburn
Chanler	Goldberg	Kopp	Parker J S	Waters F A
Cheney	Goldstein	Lansing	Patrie	Waters R B
Coffey	Goodman	LaReau	Phillips C W	Weil
Collin	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yeomans
Cuvillier	Hart	McCue	Sheide	Young
Dawson	Hearn	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 717, Int. No. 241) entitled "An act to ratify and confirm the proceedings of the village of Angola in the county of Erie in the matter of the sale and issuance of its bonds in the amount of fifty-five thousand dollars for the construction of a water works system in and for said village and to legalize said bonds and to provide for the payment of the interest and principal thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McElligott	Shlivek
Ahern	DeLano	Herrick W R	McKeon	Shortt
Allen	Donnelly	Heyman	Merritt	Smith T K
Beach	Ebbetts	Higgins	Miller	Stivers
Blauvelt	Egan	Hinman	Monczynski	Sweet
Boylan	Evans	Hoey	Mork	Talmage
Brace	Farrell	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	O'Neil M A	Waring
Carew	Geatons	Kennedy	Pappert	Warren
Caughlan	Gerhardt	Keys	Parker A	Washburn
Chanler	Goldberg	Kopp	Parker J S	Waters F A
Cheney	Goldstein	Lansing	Patrie	Waters R B
Coffey	Goodman	LaReau	Phillips C W	Weil
Collin	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yeomans
Cuvillier	Hart	McCue	Sheide	Young
Dawson	Hearn	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 724, Int. No. 136) entitled "An act to provide for a supply of pure and wholesome water for the city of Mount Vernon; and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McElligott	Shlivek
Ahern	DeLano	Herrick W R	McKeon	Shortt
Allen	Donnelly	Heyman	Merritt	Smith T K
Beach	Ebbetts	Higgins	Miller	Stivers
Blauvelt	Egan	Hinman	Monczynski	Sweet
Boylan	Evans	Hoey	Mork	Talmage
Brace	Farrell	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	O'Neil M A	Waring
Carew	Geatons	Kennedy	Pappert	Warren
Caughlan	Gerhardt	Keys	Parker A	Washburn
Chanler	Goldberg	Kopp	Parker J S	Waters F A
Cheney	Goldstein	Lansing	Patrie	Waters R B
Coffey	Goodman	LaReau	Phillips C W	Weil
Collin	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yeomans
Cuvillier	Hart	McCue	Sheide	Young
Dawson	Hearn	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 718, Int. No. 184) entitled "An act to amend the Greater New York charter, in relation to notice to be given to the people of the State of New York and to the city of New York on the foreclosure of tax liens," having been announced,

Mr. Chanler moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

Page 2, line 26, after the word " effect " strike out " May " and insert " September ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 737, Int. No. 289) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred

and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to authority to set aside judgments for error in fact," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McElligott	Shlivek
Ahern	DeLano	Herrick W R	McKeon	Shortt
Allen	Donnelly	Heyman	Merritt	Smith T K
Beach	Ebbetts	Higgins	Miller	Stivers
Blauvelt	Egan	Hinman	Monczynski	Sweet
Boylan	Evans	Hoey	Mork	Talmage
Brace	Farrell	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	O'Neil M A	Waring
Carew	Geatons	Kennedy	Pappert	Warren
Caughlan	Gerhardt	Keys	Parker A	Washburn
Chanler	Goldberg	Kopp	Parker J S	Waters F A
Cheney	Goldstein	Lansing	Patrie	Waters R B
Coffey	Goodman	LaReau	Phillips C W	Weil
Collin	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yeomans
Cuvillier	Hart	McCue	Sheide	Young
Dawson	Hearn	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 739, Int. No. 348) entitled "An act to amend the Code of Civil Procedure, in relation to challenges to jury," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McElligott	Shlivek
Ahern	DeLano	Herrick W R	McKeon	Shortt
Allen	Donnelly	Heyman	Merritt	Smith T K
Beach	Ebbetts	Higgins	Miller	Stivers
Blauvelt	Egan	Hinman	Monczynski	Sweet
Boylan	Evans	Hoey	Mork	Talmage
Brace	Farrell	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	O'Neil M A	Waring
Carew	Geatons	Kennedy	Pappert	Warren
Caughlan	Gerhardt	Keys	Parker A	Washburn
Chanler	Goldberg	Kopp	Parker J S	Waters F A
Cheney	Goldstein	Lansing	Patrie	Waters R B
Coffey	Goodman	LaReau	Phillips C W	Weil
Collin	Goodwin	Lent	Phillips J S	Wende
Colne	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yeomans
Cuvillier	Hart	McCue	Sheide	Young
Dawson	Hearn	McDaniels	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 43, Assembly reprint No. 770, Rec. No. 11) entitled "An act to amend chapter one hundred and fifteen of the Laws of nineteen hundred and nine, entitled 'An act authorizing the city of Buffalo to construct, equip and maintain a municipal hospital or hospitals either within or outside the limits of said city, for the exclusive care and treatment of persons affected with incipient tuberculosis, and authorizing said city to acquire lands for such purposes and to borrow money therefor by the issue of bonds,' increasing the aggregate amount which said city may borrow for such purposes, and increasing the maximum rate of interest on such bonds," was read the third time, having been

printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McElligott	Shlivek
Ahern	DeLano	Herrick W R	McKeon	Shortt
Allen	Donnelly	Heyman	Merritt	Smith T K
Beach	Ebbetts	Higgins	Miller	Stivers
Blauvelt	Egan	Hinman	Monczynski	Sweet
Boylan	Evans	Hoey	Mork	Talmage
Brace	Farrell	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	O'Neil M A	Waring
Carew	Geatons	Kennedy	Pappert	Warren
Caughlan	Gerhardt	Keys	Parker A	Washburn
Chanler	Goldberg	Kopp	Parker J S	Waters F A
Cheney	Goldstein	Lansing	Patrie	Waters R B
Coffey	Goodman	LaReau	Phillips C W	Weil
Collin	Goodwin	Lent	Phillips J S	Wende
Colné	Gould	Levy A J	Pierce	Wheeler
Connell	Graubard	Macdonald	Saunders	White
Constantine	Gregg	MacGregor	Schifferdecker	Wilson
Cosad	Hackett	Manley	Seeley	Winters
Cross	Haines	Martin	Shannon	Yeomans
Cuvillier	Hart	McCue	Sheide	Young
Dawson	Hearn	McDaniels	Shepardson	Zorn

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 740, Int. No. 586) entitled "An act to exempt the real estate of charitable infant asylum corporations in the State of New York, from certain assessments for public improvements," having been announced for a third reading,

On motion of Mr. Goldberg, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

Mr. Hollmann offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 58, Int. No. 59), entitled "An act to legalize the establishment of the Roslyn water district in the town of North Hempstead, and the issuance and sale of the bonds of said town to install a water plant in said district, and to provide for the payment of said bonds," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. White offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 283, Int. No. 281), entitled "An act to ratify, confirm and legalize the proceedings of the town of Irondequoit in the county of Monroe, had and taken in the matter of the establishment of a water district in said town; the sale, award and issuance of the bonds of said town to pay for the cost of constructing a water system in said water district; and to provide for the payment of said bonds," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 368, Int. No. 85), entitled "An act to amend chapter sixty-two of the Laws of nineteen hundred and nine, entitled 'An act in relation to taxation, constituting chapter sixty of the Consolidated Laws,' by inserting therein after section two hundred and seventy-one a new section, to be known as section two hundred and seventy-one-a, and amending section two hundred and seventy-five thereof."

Also, the bill (No. 129, Int. No. 130), entitled "An act to amend the Executive Law, in relation to the expenses incurred by the Attorney-General in attending at any term of the Supreme Court or appearing before the grand jury thereof."

Also, the bill (No. 357, Int. No. 350), entitled "An act to amend the State Charities Law, in relation to estimates," with a

message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution in relation to increased rate of magazine postage, with a message that they have concurred in the passage of the same without amendment.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 283, Int. No. 281), entitled "An act to ratify, confirm and legalize the proceedings of the town of Irondequoit in the county of Monroe had and taken in the matter of the establishment of a water district in said town; the sale, award and issuance of the bonds of said town to pay for the cost of constructing a water system in said water district; and to provide for the payment of said bonds," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 59, Int. No. 58), entitled "An act to legalize the establishment of the Roslyn water district in the town of North Hempstead, and the issuance and sale of the bonds of said town to install a water plant in said district, and to provide for the payment of said bonds," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Foley, the House adjourned until Friday, March 3d, at 11:30 o'clock A. M.

FRIDAY, MARCH 3, 1911.

The House met pursuant to adjournment.

Prayer by Rev. James S. Kittell.

On motion of Mr. Oliver, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the State Board of Health, which was laid upon the table and ordered printed.

(See Senate Document No. 40).

Mr. Boylan introduced a bill entitled "An act to authorize the police commissioner of the city of New York to allow a pension, from the New York police department relief fund, to Kate Mallon, the sister of Francis Mallon, a former member of such department" (Int. No. 828), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Penal Law, in relation to Sunday observance" (Int. No. 829), which was read the first time and referred to the committee on codes.

Mr. Foley introduced a bill entitled "An act to amend the Agricultural Law, relative to disposition of fines and penalties" (Int. No. 830), which was read the first time and referred to the committee on agriculture.

Also, "An act to amend the General Corporation Law, in relation to the prohibition of banking powers" (Int. No. 831), which was read the first time and referred to the committee on banks.

Mr. Gillen introduced a bill entitled "An act to amend the Greater New York charter, in relation to hours of labor, compensation and discipline of drivers in the department of street cleaning of the city of New York" (Int. No. 832), which was read the first time and referred to the committee on affairs of cities.

Mr. Graubard introduced a bill entitled "An act to provide for the appointment of a commission to investigate the enforcement and effect of all laws of a sumptuary character, including those relating to and affecting the observance of the first day of the week, commonly called 'Sunday,' and to report on the expediency of a revision of such laws and codifying them, or the adoption of other laws or measures to take their place, and making an appropriation therefor" (Int. No. 833), which was read the first time and referred to the committee on ways and means.

Mr. Gregg introduced a bill entitled "An act to amend the Agricultural Law, in relation to the inspection and sale of seeds" (Int. No. 834), which was read the first time and referred to the committee on agriculture.

Also, "An act to amend the Forest, Fish and Game Law, in relation to lopping trees and floating timber" (Int. No. 835), which was read the first time and referred to the committee on forestries, fisheries and game.

Also, "An act to amend the Highway Law, in relation to payment of the expense of constructing a county highway" (Int. No. 836), which was read the first time and referred to the committee on ways and means.

Mr. Hoyt introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to driving fish in the county of Dutchess and to nets in the Hudson and Delaware rivers" (Int. No. 837), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Macdonald introduced a bill entitled "An act providing for the erection of a new State armory at Malone, New York, the acquisition of a site for the same, and making an appropriation therefor; and providing for the sale of the old armory site and building, and the application of the proceeds to such new building, and for other purposes relative to the same" (Int. No. 838), which was read the first time and referred to the committee on ways and means.

Mr. McGrath introduced a bill entitled "An act to amend the State Charities Law, in relation to Craig Colony" (Int. No. 839), which was read the first time and referred to the committee on public institutions.

Also, "An act to amend the Code of Civil Procedure, in relation to allowance of appeals from determination of the Appellate Division" (Int. No. 840), which was read the first time and referred to the committee on codes.

Mr. J. J. O'Neill introduced a bill entitled "An act to amend the Public Health Law, in relation to local ordinances" (Int. No. 841), which was read the first time and referred to the committee on public health.

Mr. Wheeler introduced a bill entitled "An act to amend the Education Law, in relation to the establishment of a State school of agriculture and domestic science and kindred subjects at Delhi, Delaware county, providing for its management and control, and making an appropriation therefor" (Int. No. 842), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Prison Law, in relation to excepting city and county almshouses from the provisions requiring the

use of prison-made goods by political subdivisions of the State" (Int. No. 843), which was read the first time and referred to the committee on penal institutions.

Mr. Cuvillier introduced a bill entitled "An act designating the seventeenth day of March of each year as a public holiday, to be known as Saint Patrick's day" (Int. No. 844), which was read the first time and referred to the committee on the judiciary.

Mr. Fry introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to express companies" (Int. No. 845), which was read the first time and referred to the committee on railroads.

Mr. Sullivan introduced a bill entitled "An act to amend the Labor Law, in relation to the materials and labor used in and upon public works" (Int. No. 846), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Penal Law, in relation to the definition of conspiracy" (Int. No. 847), which was read the first time and referred to the committee on codes.

Mr. Brace introduced a bill entitled "An act to legalize the action of the board of trustees and of the electors of the village of Canajoharie, in relation to the issue of bonds of such village for fifty thousand dollars to defray a portion of the expense of establishing a system of water works therein, and to legalize such bonds and the issuance thereof, and to provide for the payment of the same" (Int. No. 848), which was read the first time and referred to the committee on affairs of villages.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill (No. 34, Int. No. 34) introduced by Mr. T. K. Smith, entitled "An act to amend the Highway Law, relative to a renewal license of chauffeurs," reported in favor of the passage of the same, with the following amendments:

On page 1, line 6, after "annually" insert bracket.

On page 1, line 7, strike out brackets; also "a"; also "of one dollar".

On page 1, line 8, after "license" strike out bracket; also after "such" insert bracket and comma and the word "the" in italics.

On page 1, line 9, enclose words "of each year" in brackets.

On page 1, line 9, after "year" insert in italics the words "the renewal fees shall be five dollars, until the year nineteen hundred and twelve, for and after which it shall be two dollars."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act creating the office of keeper of the county home in the county of Onondaga, and prescribing his powers and duties." (No. 794, Int. No. 727.)

"An act to revive and extend the corporate existence of Kenmore Improvement Company of Buffalo, New York." (No. 97, Int. No. 97.)

"An act in relation to the boundaries of the village of Briarcliff Manor." (No. 659, Int. No. 624.)

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Ferris	Fiero	Gittins	3

FOR M. J. O'BRIEN.

Loomis	1

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR WILLIAM SULZER.

White	1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Coats with Mr. Bayne; Mr. Cobb with Mr. Harden; Mr. Hamilton with Mr. Sanner; Mr. Heacock with Mr. McManus; Mr. Wainwright with Mr. Stilwell; Mr. Rose with Mr. C. D. Sullivan; Mr. Bussey with Mr. Cullen; Mr. Griffith with Mr. Frawley; Mr. Hewitt with Mr. Murtaugh; Mr. Platt with Mr. Ramsperger; Mr. Walters with Mr. T. D. Sullivan; Mr. Allen with Mr. Harte; Mr. Arget-

singer with Mr. Black; Mr. Emerson with Mr. Cronin; Mr. Hinman with Mr. Griffin; Mr. Ormrod with Mr. Long; Mr. Sage with Mr. McClelland; Mr. Thomas with Mr. Pollock; Mr. Travis with Mr. O'Brien.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Collin	Cuvillier	Frisbie	LaReau	Oliver	5

FOR CHAUNCEY M. DEPEW.

Bryant	Lansing	Merritt	3

FOR JOHN D. KERNAN.

Bridenbecker	1

FOR M. J. O'BRIEN.

Shortt	1

FOR WILLIAM SULZER.

Myers	1

FOR LUKE D. STAPLETON.

Fry	1

FOR MARTIN W. LITTLETON.

Beach	Drummond	Hollmann	Martin	Terry	
Brace	Evans	Hoyt	Miller	Wheeler	
Cosad					11

FOR JOHN N. CARLISLE.

Day	1

FOR J. J. HOPPER.

O'Connor	1

FOR MARTIN H. GLYNN.

Saunders	1

When the roll was called the following pairs were announced: Mr. Schifferdecker with Mr. Keys; Mr. Carew with Mr. Winters; Mr. Heyman with Mr. Lent; Mr. Gillen with Mr. Filley; Mr. M. A. O'Neil with Mr. Hoff; Mr. Fay with Mr. Stivers; Mr. Farrell with Mr. Connell; Mr. Gerken with Mr. Colne; Mr. Goldstein with Mr. Hart; Mr. Donnelly with Mr. Ebbets; Mr. J. J. O'Neill with Mr. Coffey; Mr. McKeon with Mr. Yeomans; Mr. Geatons with Mr. Pierce; Mr. Jameson with Mr.

Ahern; Mr. Gurnett with Mr. Yale; Mr. Hammond with Mr. Brennan; Mr. Shannon with Mr. Seeley; Mr. Manley with Mr. Allen; Mr. Jackson with Mr. DeLano; Mr. J. Levy with Mr. C. W. Phillips; Mr. Monczynski with Mr. Thorn; Mr. Adler with Mr. Blauvelt; Mr. Talmage with Mr. Sheide; Mr. J. S. Parker with Mr. W. R. Herrick; Mr. Cross with Mr. McElligott; Mr. Young with Mr. Bush; Mr. Haines with Mr. McGrath; Mr. Baumes with Mr. Spielberg; Mr. Kopp with Mr. Weil; Mr. Jones with Mr. Gregg; Mr. Waring with Mr. Washburn; Mr. Cheney with Mr. Turley; Mr. Nolan with Mr. J. J. Herrick; Mr. Butler with Mr. Zorn; Mr. F. A. Waters with Mr. Gould; Mr. Constantine with Mr. Dawson; Mr. Goodman with Mr. Mork; Mr. Shlivek with Mr. Goldberg; Mr. Brown with Mr. Walker; Mr. Brooks with Mr. A. Parker; Mr. Hackett with Mr. R. B. Waters; Mr. Hoey with Mr. Goodwin; Mr. Gerhardt with Mr. Macdonald; Mr. Boylan with Mr. Higgins; Mr. Lincoln with Mr. Wende; Mr. Sweet with Mr. Hearn; Mr. J. S. Phillips with Mr. Warren; Mr. Gray with Mr. Donovan; Mr. Shepardson with Mr. Patrie; Mr. Caughlan with Mr. T. K. Smith; Mr. MacGregor with Mr. McCue; Mr. A. E. Smith with Mr. Brereton; Mr. Egan with Mr. Wilson; Mr. Ward with Mr. A. J. Levy; Mr. Neupert with Mr. Sullivan; Mr. Foley with Mr. White.

Whole number of votes cast..... 34

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	4	5	9
For Chauncey M. Depew.....	0	3	3
For Martin W. Littleton.....	2	11	13
For Martin H. Glynn.....	0	1	1
For John D. Kernan.....	0	1	1
For M. J. O'Brien.....	1	1	2
For William Sulzer	1	1	2
For John N. Carlisle.....	0	1	1
For John J. Hopper.....	0	1	1
For Luke D. Stapleton.....	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate an-

nounced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Ferris, the joint assembly took a recess until Saturday, March 4th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Saturday, March 4th, at 12 o'clock noon in the Assembly Chamber.

The Senate returned the bill (No. 335, Int. No. 334), entitled "An act to amend chapter seven hundred and thirty-eight of the Laws of eighteen hundred and ninety-seven, entitled 'An act creating a board of assessors in and for the city of Utica and defining its powers,' relative to preparing and review of assessment-rolls," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Utica.

A communication was received from Hon. Hiram H. Edgerton, mayor of the city of Rochester, returning Assembly bill (No. 280, Int. No. 278), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to salaries," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Messrs. Kennedy of Queens and Huber of Queens were excused until Tuesday next.

On motion of Mr. Oliver, the House adjourned until Saturday, March 4th, at 11:30 o'clock A. M.

SATURDAY, MARCH 4, 1911.

The House met pursuant to adjournment.

Mr. Oliver in the chair.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. A. Parker, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the resolution of the board of aldermen of the city of New York in relation to the Farrell bill, which was read and referred to the committee on excise.

Mr. Fry introduced a bill entitled "An act to amend the Public Health Law, in relation to the use of common drinking cups" (Int. No. 849), which was read the first time and referred to the committee on public health.

Mr. Shortt introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to marine fisheries" (Int. No. 850), which was read the first time and referred to the committee on forestries, fisheries and game.

Also, "An act creating a shellfish bureau for the leasing of lands under water for the purpose of shellfish cultivation and for the protection and regulation of all shellfish and shellfish culture within this State" (Int. No. 851), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Hinman introduced a bill entitled "An act to enable the board of supervisors of the county of Albany to grant an easement in or convey or lease a plot of ground, sufficient and adequate in size from the portion of real estate of which Albany county is now seized and possessed, known as the 'Albany Penitentiary Property' for the purpose and to be used for the erection of a building or buildings of the Albany Medical College" (Int. No. 852), which was read the first time and referred to the committee on internal affairs.

Also, "An act to enable the board of supervisors of the county of Albany to sell and convey to the city of Albany all of the right and title and interest of which the county of Albany is now seized and possessed, in and to the real estate known as the City Hall, in the city of Albany, for the purpose of acquiring funds to be used in the erection of a courthouse in and for the county

of Albany" (Int. No. 853), which was read the first time and referred to the committee on internal affairs.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend section fifteen of the Personal Property Law relating to trust funds." (No. 744, Int. No. 682.)

"An act to authorize the town of Frankfort in Herkimer county to provide for the construction of a State highway of additional width and pay the expense thereof." (No. 186, Int. No. 185.)

"An act to amend the Village Law, in relation to borrowing money." (No. 222, Int. No. 220.)

"An act to amend the Military Law, in relation to enlistments and re-enlistments." (No. 680, Int. No. 644.)

"An act to amend section three hundred and ten of chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter eighty-three of the Laws of eighteen hundred and ninety-eight, relating to the removal of snow and ice from sidewalks on the parks, parkways and park approaches in said city." (No. 639, Int. No. 607.)

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The presiding officer of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Ferris	Fiero	Gittins	3

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR M. J. O'BRIEN.

Saxe	1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Coats with Mr. Bayne; Mr. Cobb with Mr. Harden; Mr. Hamilton with Mr. Sanner; Mr.

Heacock with Mr. McManus; Mr. Wainwright with Mr. Stilwell; Mr. Rose with Mr. C. D. Sullivan; Mr. Bussey with Mr. Cullen; Mr. Griffith with Mr. Frawley; Mr. Hewitt with Mr. Murtaugh; Mr. Platt with Mr. Ramsperger; Mr. Walters with Mr. T. D. Sullivan; Mr. Allen with Mr. Harte; Mr. Argetsinger with Mr. Black; Mr. Emerson with Mr. Cronin; Mr. Hinman with Mr. Griffin; Mr. Ormrod with Mr. Long; Mr. Sage with Mr. McClelland; Mr. Thomas with Mr. Pollock; Mr. Travis with Mr. O'Brien; Mr. Newcomb with Mr. Wagner.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Collin	LaReau	Oliver	3

FOR CHAUNCEY M. DEPEW.

Bryant	Lansing	2

FOR MARTIN W. LITTLETON.

Miller	1

FOR MARTIN H. GLYNN.

Saunders	1

FOR J. J. HOPPER.

O'Connor	1

When the roll was called the following pairs were announced:

Mr. Schifferdecker with Mr. Keys; Mr. Carew with Mr. Winters; Mr. Heyman with Mr. Lent; Mr. Gillen with Mr. Filley; Mr. M. A. O'Neil with Mr. Hoff; Mr. Fay with Mr. Stivers; Mr. Farrell with Mr. Connell; Mr. Gerken with Mr. Colne; Mr. Goldstein with Mr. Hart; Mr. Donnelly with Mr. Ebbets; Mr. J. J. O'Neill with Mr. Coffey; Mr. McKeon with Mr. Yeomans; Mr. Geatons with Mr. Pierce; Mr. Jameson with Mr. Ahern; Mr. Gurnett with Mr. Yale; Mr. Hammond with Mr. Brennan; Mr. Shannon with Mr. Seeley; Mr. Manley with Mr. Allen; Mr. Jackson with Mr. DeLano; Mr. J. Levy with Mr. C. W. Phillips; Mr. Monczynski with Mr. Thorn; Mr. Adler with Mr. Blauvelt; Mr. Talmage with Mr. Sheide; Mr. J. S. Parker with Mr. W. R. Herrick; Mr. Cross with Mr. McElligott; Mr. Young with Mr. Bush; Mr. Haines with Mr. McGrath; Mr. Murray with Mr. Frisbie; Mr. Baumes with Mr. Spielberg; Mr. Kopp with

Mr. Weil; Mr. Jones with Mr. Gregg; Mr. Waring with Mr. Washburn; Mr. Cheney with Mr. Turley; Mr. Nolan with Mr. J. J. Herrick; Mr. Butler with Mr. Zorn; Mr. F. A. Waters with Mr. Gould; Mr. Constantine with Mr. Dawson; Mr. Goodman with Mr. Mork; Mr. Shlivek with Mr. Goldberg; Mr. Brown with Mr. Walker; Mr. Brooks with Mr. A. Parker; Mr. Hackett with Mr. R. B. Waters; Mr. Hoey with Mr. Goodman; Mr. Gerhardt with Mr. Macdonald; Mr. Boylan with Mr. Higgins; Mr. Lincoln with Mr. Wende; Mr. Sweet with Mr. Hearn; Mr. J. S. Phillips with Mr. Warren; Mr. Gray with Mr. Donovan; Mr. Shepardson with Mr. Patrie; Mr. Caughlan with Mr. T. K. Smith; Mr. MacGregor with Mr. McCue; Mr. A. E. Smith with Mr. Brereton; Mr. Egan with Mr. Wilson; Mr. Ward with Mr. A. J. Levy; Mr. Neupert with Mr. Sullivan; Mr. Foley with Mr. White; Mr. Cuvillier with Mr. Merritt.

Whole number of votes cast..... 14

	Senators.	Assemblymen.	Total.
For William F. Sheehan	3	3	6
For Chauncey M. Depew	0	2	2
For Martin W. Littleton	2	1	3
For Martin H. Glynn	0	1	1
For M. J. O'Brien	1	0	1
For John J. Hopper	0	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office will expire on the 4th day of March, 1911.

On motion of Mr. Fiero, the joint assembly took a recess until Monday, March 6th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Monday, March 6th, at 12 o'clock noon in the Assembly Chamber.

On motion of Mr. A. Parker, the House adjourned until Monday, March 6th, at 11:30 o'clock A. M.

MONDAY, MARCH 6, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Wm. Wallace Eaton, Fort Edward.

On motion of Mr. A. E. Smith, the reading of the journal of Saturday, March 4th, was dispensed with and the same was approved.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Ferris	Fiero	Gittins	Wagner	4

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR M. J. O'BRIEN.

Saxe	1

FOR WILLIAM SULZER.

White	1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Coats with Mr. Payne; Mr. Cobb with Mr. Harden; Mr. Hamilton with Mr. Sanner; Mr. Heacock with Mr. McManus; Mr. Wainwright with Mr. Stilwell; Mr. Rose with Mr. C. D. Sullivan; Mr. Bussey with Mr. Cullen; Mr. Griffith with Mr. Frawley; Mr. Hewitt with Mr. Murtaugh; Mr. Platt with Mr. Ramsperger; Mr. Walters with Mr. T. D. Sullivan; Mr. Allen with Mr. Harte; Mr. Argetsinger with Mr. Black; Mr. Emerson with Mr. Cronin; Mr. Hinman with Mr. Griffin; Mr. Ormrod with Mr. Long; Mr. Sage with Mr. McClelland; Mr. Thomas with Mr. Pollock; Mr. Travis with Mr. O'Brien.

The Speaker directed the Clerk of the Assembly to call the roll

of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Collin	LaReau				2

FOR CHAUNCEY M. DEPEW.

Lansing	Bryant				2

FOR MARTIN W. LITTLETON.

Beach	Cosad	Hoyt	Miller	Terry	
Brace	Drummond	Martin	Saunders	Trombly	
Bridenbecker	Evans				12

FOR JOHN N. CARLISLE.

Day	1

FOR J. J. HOPPER.

O'Connor	1

FOR WILLIAM SULZER.

Myers	1

FOR THOMAS MULRY.

Friedman	1

FOR ISAAC KAPPER.

Fry	1

When the roll was called the following pairs were announced:

Mr. Schifferdecker with Mr. Keys; Mr. Carew with Mr. Winters; Mr. Heyman with Mr. Lent; Mr. Gillen with Mr. Filley; Mr. M. A. O'Neil with Mr. Hoff; Mr. Fay with Mr. Stivers; Mr. Farrell with Mr. Connell; Mr. Gerken with Mr. Colne; Mr. Goldstein with Mr. Hart; Mr. Donnelly with Mr. Ebbets; Mr. J. J. O'Neill with Mr. Coffey; Mr. McKeon with Mr. Yeomans; Mr. Geatons with Mr. Pierce; Mr. Jameson with Mr. Ahern; Mr. Gurnett with Mr. Yale; Mr. Hammond with Mr. Brennan; Mr. Shannon with Mr. Seeley; Mr. Manley with Mr. Allen; Mr. Jackson with Mr. DeLano; Mr. J. Levy with Mr. C. W. Phillips; Mr. Monczynski with Mr. Thorn; Mr. Adler with Mr. Blauvelt; Mr. Talmage with Mr. Sheide; Mr. J. S. Parker with Mr. W. R. Herrick; Mr. Cross with Mr. McElligott; Mr. Young with Mr. Bush; Mr. Haines with Mr. McGrath; Mr. Murray with Mr. Oliver; Mr. Baumes with Mr. Spielberg; Mr. Kopp with Mr. Weil; Mr. Jones with Mr. Gregg; Mr. Waring with Mr. Wash-

burn; Mr. Cheney with Mr. Turley; Mr. Nolan with Mr. J. J. Herrick; Mr. Butler with Mr. Zorn; Mr. F. A. Waters with Mr. Gould; Mr. Constantine with Mr. Dawson; Mr. Goodman with Mr. Mork; Mr. Shlivek with Mr. Goldberg; Mr. Brown with Mr. Walker; Mr. Brooks with Mr. A. Parker; Mr. Hackett with Mr. R. B. Waters; Mr. Hoey with Mr. Goodwin; Mr. Gerhardt with Mr. Macdonald; Mr. Boylan with Mr. Higgins; Mr. Lincoln with Mr. Wende; Mr. Sweet with Mr. Hearn; Mr. J. S. Phillips with Mr. Warren; Mr. Gray with Mr. Donovan; Mr. Shepardson with Mr. Patrie; Mr. Caughlan with Mr. T. K. Smith; Mr. MacGregor with Mr. McCue; Mr. A. E. Smith with Mr. Brereton; Mr. Egan with Mr. Wilson; Mr. Ward with Mr. A. J. Levy; Mr. Neupert with Mr. Sullivan; Mr. Foley with Mr. White; Mr. Cuvillier with Mr. Merritt; Mr. Fitzpatrick with Mr. Pappert.

Whole number of votes cast..... 29

	Senators.	Assemblymen.	Total.
For William F. Sheehan	4	2	6
For Chauncey M. Depew	0	2	2
For Martin W. Littleton	2	12	14
For M. J. O'Brien	1	0	1
For William Sulzer	1	1	2
For John N. Carlisle	0	1	1
For John J. Hopper	0	1	1
For Thomas Mulry	0	1	1
For Isaac Kapper.....	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Ferris, the joint assembly took a recess until Tuesday, March 7th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had

been made and that the joint assembly had adjourned to meet Tuesday, March 7th, at 12 o'clock noon in the Assembly Chamber.

On motion of Mr. A. E. Smith, the House took a recess until 8:30 o'clock P. M.

EIGHT O'CLOCK AND THIRTY MINUTES P. M.

The House again met.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to service of the National Guard and Naval Militia" (Int. No. 854), which was read the first time and referred to the committee on military affairs.

Mr. Evans introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to eel weirs in the Delaware river" (Int. No. 855), which was read the first time and referred to the committee on forestries, fisheries and game.

Also, "An act to amend the State Boards and Commissions Law, in relation to creating the interstate bridge commission and defining its powers and duties, and making an appropriation therefor" (Int. No. 856), which was read the first time and referred to the committee on ways and means.

Mr. Wheeler introduced a bill entitled "An act to amend the Highway Law, in relation to the removal of weeds, brush and obstructions from the highway" (Int. No. 857), which was read the first time and referred to the committee on internal affairs.

Mr. Goldstein introduced a bill entitled "An act to amend section two thousand six hundred and sixty-nine of the Code of Civil Procedure, relating to the public administrator of Kings county" (Int. No. 858), which was read the first time and referred to the committee on codes.

Mr. Evans introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to skunk farms" (Int. No. 859), which was read the first time and referred to the committee on forestries, fisheries and game.

Also, "An act to provide for certain improvements to Bashas Kill, at the mouth of Pine Kill, in the county of Orange, and making an appropriation therefor" (Int. No. 860), which was

read the first time and referred to the committee on ways and means.

Mr. Chanler introduced a bill entitled "An act to amend the General Corporation Law, in relation to the amount of property nonstock corporations may take or hold" (Int. No. 861), which was read the first time and referred to the committee on general laws.

Mr. Donnelly introduced a bill entitled "An act to amend chapter one hundred and seventy-one of the Laws of nineteen hundred and four, entitled 'An act to provide for the continuance of the office of commissioner of records of the county of Kings, and for the completion and care of the block indexes and reindexing plant, and for the care and preservation of the county records, old town and other records" (Int. No. 862), which was read the first time and referred to the committee on general laws.

Mr. Foley introduced a bill entitled "An act to amend the Greater New York charter, in relation to the police department" (Int. No. 863), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Code of Civil Procedure, in relation to appointment of confidential stenographer and typewriter operator" (Int. No. 864), which was read the first time and referred to the committee on codes.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Agricultural Law, in relation to cider vinegar." (No. 877, Int. No. 277.)

"An act to amend the Greater New York charter, in relation to notice to be given to the people of the State of New York and to the city of New York on the foreclosure of tax liens." (No. 878, Int. No. 184.)

"An act to amend the Public Officers Law, in relation to vacations for persons in the service of the State and of the several civil subdivisions thereof." (No. 879, Int. No. 147.)

"An act to amend chapter five hundred and nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to provide for the establishment of a botanic garden and arboretum on park lands in the city of Brooklyn and for the care of the same,' generally." (No. 880, Int. No. 629.)

The bill (No. 320, Int. No. 319) entitled "An act to amend the County Law, relative to additional official duties of the district attorney of Niagara county and to provide for his disbursements in the performance of the same," having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 682, Int. No. 646) entitled "An act to amend the Military Law, in relation to allowances and devises and bequests to cavalry organizations," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 468, Int. No. 459) entitled "An act to amend the General Business Law, in relation to the certification of public accountants," was read the second time.

On motion of Mr. Egan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 455, Int. No. 446) entitled "An act to amend the General Business Law, in relation to pawnbrokers," having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 108, Int. No. 108) entitled "An act to authorize the Adjutant-General to reopen, try and determine the claim made by John A. Morrissey, private, Seventy-fourth Regiment Infantry, National Guard, for expenses for an operation resulting from injuries received during service," was read the second time.

On motion of Mr. LaReau, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 532, Int. No. 516) entitled "An act to amend the General Municipal Law, in relation to examiners of accounts of municipalities," was read the second time.

On motion of Mr. Oliver, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 412, Int. No. 403) entitled "An act to amend the Public Service Commissions Law, in relation to the issuance of

free passes, or franks, by telephone or telegraph companies," having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 525, Int. No. 510) entitled "An act to provide for the payment of the balance due newspapers for the publication of concurrent resolutions to the Legislature of nineteen hundred and ten, proposing amendments to the Constitution of this State, and for deficiency in appropriation for the publication of other official notices required to be published as provided by law, which are subject to contract," having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 751, Int. No. 689) entitled "An act to legalize certain bonds of the county of Erie," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading.

On motion of Mr. Wende, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Day	Gurnett	McDaniels	Smith A E
Ahern	DeLano	Hackett	McElligott	Smith T K
Allen	Donnelly	Haines	McKeon	Stivers
Baumes	Donovan	Hart	Merritt	Sweet
Beach	Drummond	Hammond	Miller	Talmage
Blauvelt	Ebbetts	Hearn	Monczynski	Thorn
Boylan	Evans	Heyman	Mork	Trombly
Brace	Farrell	Higgins	Murray	Turley
Brereton	Fay	Hinman	Myers	Walker
Bridenbecker	Filley	Hoey	Neupert	Ward

Brooks	Fitzpatrick	Hoff	Nolan	Waring
Brown	Foley	Hollman	O'Connor	Warren
Bryant	Friedmann	Hoyt	Oliver	Washburn
Butler	Fry	Huber	O'Neill J J	Waters F A
Carew	Geatons	Jackson	O'Neil M A	Waters R B
Caughlan	Gerhardt	Jameson	Pappert	Weil
Chanler	Gerken	Jones	Parker A	Wende
Coffey	Gillen	Kennedy	Parker J S	Wheeler
Colne	Goldstein	Keys	Pierce	White
Connell	Goodman	Lansing	Saunders	Wilson
Constantine	Goodwin	LaReau	Schifferdecker	Winters
Cosad	Gould	Lent	Seeley	Yale
Cross	Graubard	Levy A J	Sheide	Yeomans
Cuvillier	Gray	MacGregor	Shepardson	Young
Dawson	Gregg	Manley	Shlivek	Zorn

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 836, Int. No. 380) entitled "An act to amend the Greater New York charter, in relation to the establishment of day nurseries and the acquisition of land and buildings therefor," was read the second time.

On motion of Mr. Boylan, said bill was placed on the order of third reading.

On motion of Mr. Boylan, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Day	Gurnett	McDaniels	Smith A E
Ahern	DeLano	Hackett	McElligott	Smith T K
Allen	Donnelly	Haines	McKeon	Stivers
Baumes	Donovan	Hart	Merritt	Sweet
Beach	Drummond	Hammond	Miller	Talmage
Blauvelt	Ebbetts	Hearn	Monczynski	Thorn
Boylan	Evans	Heyman	Mork	Trombly
Brace	Farrell	Higgins	Murray	Turley
Brereton	Fay	Hinman	Myers	Walker
Bridenbecker	Filley	Hoey	Neupert	Ward
Brooks	Fitzpatrick	Hoff	Nolan	Waring
Brown	Foley	Hollmann	O'Connor	Warren
Bryant	Friedman	Hoyt	Oliver	Washburn
Butler	Fry	Huber	O'Neill J J	Waters F A

Carew	Geatons	Jackson	O'Neil M A	Waters R B
Caughlan	Gerhardt	Jameson	Pappert	Weil
Chanler	Gerken	Jones	Parker A	Wende
Coffey	Gillen	Kennedy	Parker J S	Wheeler
Colné	Goldstein	Keys	Pierce	White
Connell	Goodman	Lansing	Saunders	Wilson
Constantine	Goodwin	LaReau	Schifferdecker	Winters
Cosad	Gould	Lent	Seeley	Yale
Cross	Graubard	Levy A J	Sheide	Yeomans
Cuvillier	Gray	MacGregor	Shepardson	Young
Dawson	Gregg	Manley	Shlivek	Zorn

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 837, Int. No. 372) entitled "An act to legalize certain proceedings of the village of Waterloo, in Seneca county, its legal voters, trustees, officers and agents relating to the establishment of a sewer system and disposal plant, including the making of contracts and issue of village bonds therefor, and to authorize the execution and sale of such bonds and provide for their payment from moneys to be raised by taxation in said village," having been announced, debate was had thereon.

On motion of Mr. Wende, said bill was recommitted to the committee on affairs of villages, retaining its place on the order of second reading.

The bill (No. 830, Int. No. 436) entitled "An act to amend the Military Law, in relation to commissioned officers of the National Guard," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Day	Gurnett	McDaniels	Smith A E
Ahern	DeLano	Hackett	McElligott	Smith T K
Allen	Donnelly	Haines	McKeon	Stivers
Baumes	Donovan	Hart	Merritt	Sweet
Beach	Drummond	Hammond	Miller	Talmage
Blauvelt	Ebbetts	Hearn	Monczynski	Thorn
Boylan	Evans	Heyman	Mork	Trombly
Brace	Farrell	Higgins	Murray	Turley

Brereton	Fay	Hinman	Myers	Walker
Bridenbecker	Filley	Hoey	Neupert	Ward
Brooks	Fitzpatrick	Hoff	Nolan	Waring
Brown	Foley	Hollmann	O'Connor	Warren
Bryant	Friedman	Hoyt	Oliver	Washburn
Butler	Fry	Huber	O'Neill J J	Waters F A
Carew	Geatons	Jackson	O'Neil M A	Waters R B
Caughlan	Gerhardt	Jameson	Pappert	Weil
Chanler	Gerken	Jones	Parker A	Wende
Coffey	Gillen	Kennedy	Parker J S	Wheeler
Colné	Goldstein	Keys	Pierce	White
Connell	Goodman	Lansing	Saunders	Wilson
Constantine	Goodwin	LaReau	Schifferdecker	Winters
Cosad	Gould	Lent	Seeley	Yale
Cross	Graubard	Levy A J	Sheide	Yeomans
Cuvillier	Gray	MacGregor	Shepardson	Young
Dawson	Gregg	Manley	Shlivek	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 829, Int. No. 127) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' with reference to the opening of defaults or dismissals, and vacating judgments and final orders," having been announced for a third reading,

On motion of Mr. Murray, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 816, Int. No. 439) entitled "An act to amend the Military Law, in relation to armories," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to it final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Day	Gurnett	McDaniels	Smith A E
Ahern	DeLano	Hackett	McElligott	Smith T K
Allen	Donnelly	Haines	McKeon	Stivers
Baumes	Donovan	Hart	Merritt	Sweet
Beach	Drummond	Hammond	Miller	Talmage

Blauvelt	Ebbetts	Hearn	Monczynski	Thorn
Boylan	Evans	Heyman	Mork	Trombly
Brace	Farrell	Higgins	Murray	Turley
Brereton	Fay	Hinman	Myers	Walker
Bridenbecker	Filley	Hoey	Neupert	Ward
Brooks	Fitzpatrick	Hoff	Nolan	Waring
Brown	Foley	Hollmann	O'Connor	Warren
Bryant	Friedman	Hoyt	Oliver	Washburn
Butler	Fry	Huber	O'Neill J J	Waters F A
Carew	Geatons	Jackson	O'Neil M A	Waters R B
Caughlan	Gerhardt	Jameson	Pappert	Weil
Chanler	Gerken	Jones	Parker A	Wende
Coffey	Gillen	Kennedy	Parker J S	Wheeler
Colné	Goldstein	Keys	Pierce	White
Connell	Goodman	Lansing	Saunders	Wilson
Constantine	Goodwin	LaReau	Schifferdecker	Winters
Cosad	Gould	Lent	Seeley	Yale
Cross	Graubard	Levy A J	Sheide	Yeomans
Cuvillier	Gray	MacGregor	Shepardson	Young
Dawson	Gregg	Manley	Shlivek	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 732, Int. No. 437) entitled "An act to amend the Military Law, in relation to enlisted men of the National Guard and Naval Militia," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Day	Gurnett	McDaniels	Smith A E
Ahern	DeLano	Hackett	McElligott	Smith T K
Allen	Donnelly	Haines	McKeon	Stivers
Baumes	Donovan	Hart	Merritt	Sweet
Beach	Drummond	Hammond	Miller	Talmage
Blauvelt	Ebbetts	Hearn	Monczynski	Thorn
Boylan	Evans	Heyman	Mork	Trombly
Brace	Farrell	Higgins	Murray	Turley
Brereton	Fay	Hinman	Myers	Walker
Bridenbecker	Filley	Hoey	Neupert	Ward
Brooks	Fitzpatrick	Hoff	Nolan	Waring
Brown	Foley	Hollmann	O'Connor	Warren
Bryant	Friedman	Hoyt	Oliver	Washburn
Butler	Fry	Huber	O'Neill J J	Waters F A
Carew	Geatons	Jackson	O'Neil M A	Waters R B
Caughlan	Gerhardt	Jameson	Pappert	Weil
Chanler	Gerken	Jones	Parker A	Wende
Coffey	Gillen	Kennedy	Parker J S	Wheeler
Colné	Goldstein	Keys	Pierce	White

Connell	Goodman	Lansing	Saunders	Wilson
Constantine	Goodwin	LaReau	Schifferdecker	Winters
Cosad	Gould	Lent	Seeley	Yale
Cross	Graubard	Levy A J	Sheide	Yeomans
Cuvillier	Gray	MacGregor	Shepardson	Young
Dawson	Gregg	Manley	Shlivek	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 800, Int. No. 133) entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Day	Gurnett	McDaniels	Smith A E
Ahern	DeLano	Hackett	McElligott	Smith T K
Allen	Donnelly	Haines	McKeon	Stivers
Baumes	Donovan	Hart	Merritt	Sweet
Beach	Drummond	Hammond	Miller	Talmage
Blauvelt	Ebbetts	Hearn	Moncsynski	Thorn
Boylan	Evans	Heyman	Mork	Trombly
Brace	Farrell	Higgins	Murray	Turley
Brereton	Fay	Hinman	Myers	Walker
Bridenbecker	Filley	Hoey	Neupert	Ward
Brooks	Fitzpatrick	Hoff	Nolan	Waring
Brown	Foley	Hollmann	O'Connor	Warren
Bryant	Friedman	Hoyt	Oliver	Washburn
Butler	Fry	Huber	O'Neill J J	Waters F A
Carew	Geatons	Jackson	O'Neil M A	Waters R B
Caughlan	Gerhardt	Jameson	Pappert	Weil
Chanler	Gerken	Jones	Parker A	Wende
Coffey	Gillen	Kennedy	Parker J S	Wheeler
Colné	Goldstein	Keys	Pierce	White
Connell	Goodman	Lansing	Saunders	Wilson
Constantine	Goodwin	LaReau	Schifferdecker	Winters
Cosad	Gould	Lent	Seeley	Yale
Cross	Graubard	Levy A J	Sheide	Yeomans
Cuvillier	Gray	MacGregor	Shepardson	Young
Dawson	Gregg	Manley	Shlivek	Zorn

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 802, Int. No. 74) entitled "An act to legalize, ratify and confirm the proceedings of the village of Cherry Creek in the county of Chautauqua, in the matter of raising the sum of thirty thousand dollars for the construction of a pressure water system for said village; to legalize, ratify and confirm the sale and issuance of the bonds of said village in the amount of twenty-five thousand dollars of said sum; to authorize the sale and issuance of the bonds of said village for the balance thereof; and to provide for the payment of the interest and principal of said bonds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Day	Gurnett	McDaniels	Smith A E
Ahern	DeLano	Hackett	McElligott	Smith T K
Allen	Donnelly	Haines	McKeon	Stivers
Baumes	Donovan	Hart	Merritt	Sweet
Beach	Drummond	Hammond	Miller	Talmage
Blauvelt	Ebbetts	Hearn	Monczynski	Thorn
Boylan	Evans	Heyman	Mork	Trombly
Brace	Farrell	Higgins	Murray	Turley
Brereton	Fay	Hinman	Myers	Walker
Bridenbecker	Filley	Hoey	Neupert	Ward
Brooks	Fitzpatrick	Hoff	Nolan	Waring
Brown	Foley	Hollmann	O'Connor	Warren
Bryant	Friedman	Hoyt	Oliver	Washburn
Butler	Fry	Huber	O'Neill J J	Waters F A
Carew	Geatons	Jackson	O'Neil M A	Waters R B
Caughlan	Gerhardt	Jameson	Pappert	Weil
Chanler	Gerken	Jones	Parker A	Wende
Coffey	Gillen	Kennedy	Parker J S	Wheeler
Colné	Goldstein	Keys	Pierce	White
Connell	Goodman	Lansing	Saunders	Wilson
Constantine	Goodwin	LaReau	Schifferdecker	Winters
Cosad	Gould	Lent	Seeley	Yale
Cross	Graubard	Levy A J	Sheide	Yeomans
Cuvillier	Gray	MacGregor	Shepardson	Young
Dawson	Gregg	Manley	Shlivek	Zorn

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The Senate bill (No. 19, Rec. No. 30) entitled "An act to amend the Village Law, in relation to compensation of president and trustees of villages of the first class," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Day	Gurnett	McDaniels	Smith A E
Ahern	DeLano	Hackett	McElligott	Smith T K
Allen	Donnelly	Haines	McKeon	Stivers
Baumes	Donovan	Hart	Merritt	Sweet
Beach	Drummond	Hammond	Miller	Talmage
Blauvelt	Ebbetts	Hearn	Monczynski	Thorn
Boylan	Evans	Heyman	Mork	Trombly
Brace	Farrell	Higgins	Murray	Turley
Brereton	Fay	Hinman	Myers	Walker
Bridenbecker	Filley	Hoey	Neupert	Ward
Brooks	Fitzpatrick	Hoff	Nolan	Waring
Brown	Foley	Hollmann	O'Connor	Warren
Bryant	Friedman	Hoyt	Oliver	Washburn
Butler	Fry	Huber	O'Neill J J	Waters F A
Carew	Geatons	Jackson	O'Neil M A	Waters R B
Caughlan	Gerhardt	Jameson	Pappert	Weil
Chanler	Gerken	Jones	Parker A	Wende
Coffey	Gillen	Kennedy	Parker J S	Wheeler
Colné	Goldstein	Keys	Pierce	White
Connell	Goodman	Lansing	Saunders	Wilson
Constantine	Goodwin	LaReau	Schifferdecker	Winters
Cosad	Gould	Lent	Seeley	Yale
Cross	Graubard	Levy A J	Sheide	Yeomans
Cuvillier	Gray	MacGregor	Shepardson	Young
Dawson	Gregg	Manley	Shlivek	Zorn

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 97, Int. No. 97) entitled "An act to revive and extend the corporate existence of Kenmore Improvement Com-

pany of Buffalo, New York," having been announced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 659, Int. No. 624) entitled "An act in relation to the boundaries of the village of Briarcliff Manor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Day	Gurnett	McDaniels	Smith A E
Ahern	DeLano	Hackett	McElligott	Smith T K
Allen	Donnelly	Haines	McKeon	Stivers
Baumes	Donovan	Hart	Merritt	Sweet
Beach	Drummond	Hammond	Miller	Talmage
Blauvelt	Ebbetts	Hearn	Monczynski	Thorn
Boylan	Evans	Heyman	Mork	Trombly
Brace	Farrell	Higgins	Murray	Turley
Brereton	Fay	Hinman	Myers	Walker
Bridenbecker	Filley	Hoey	Neupert	Ward
Brooks	Fitzpatrick	Hoff	Nolan	Waring
Brown	Foley	Hollmann	O'Connor	Warren
Bryant	Friedman	Hoyt	Oliver	Washburn
Butler	Fry	Huber	O'Neill J J	Waters F A
Carew	Geatons	Jackson	O'Neil M A	Waters R B
Caughlan	Gerhardt	Jameson	Pappert	Weil
Chanler	Gerken	Jones	Parker A	Wende
Coffey	Gillen	Kennedy	Parker J S	Wheeler
Colné	Goldstein	Keys	Pierce	White
Connell	Goodman	Lansing	Saunders	Wilson
Constantine	Goodwin	LaReau	Schifferdecker	Winters
Cosad	Gould	Lent	Seeley	Yale
Cross	Graubard	Levy A J	Sheide	Yeomans
Cuvillier	Gray	MacGregor	Shepardson	Young
Dawson	Gregg	Manley	Shlivek	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 186, Int. No. 185) entitled "An act to authorize the town of Frankfort in Herkimer county to provide for the

construction of a State highway of additional width and pay the expense thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Day	Gurnett	McDaniels	Smith A E
Ahern	DeLano	Hackett	McElligott	Smith T K
Allen	Donnelly	Haines	McKeon	Stivers
Baumes	Donovan	Hart	Merritt	Sweet
Beach	Drummond	Hammond	Miller	Talmage
Blauvelt	Ebbetts	Hearn	Monczynski	Thorn
Boylan	Evans	Heyman	Mork	Trombly
Brace	Farrell	Higgins	Murray	Turley
Brereton	Fay	Hinman	Myers	Walker
Bridenbecker	Filley	Hoey	Neupert	Ward
Brooks	Fitzpatrick	Hoff	Nolan	Waring
Brown	Foley	Hollmann	O'Connor	Warren
Bryant	Friedman	Hoyt	Oliver	Washburn
Butler	Fry	Huber	O'Neill J J	Waters F A
Carew	Geatons	Jackson	O'Neil M A	Waters R B
Caughlan	Gerhardt	Jameson	Pappert	Weil
Chanler	Gerken	Jones	Parker A	Wende
Coffey	Gillen	Kennedy	Parker J S	Wheeler
Colné	Goldstein	Keys	Pierce	White
Connell	Goodman	Lansing	Saunders	Wilson
Constantine	Goodwin	LaReau	Schifferdecker	Winters
Cosad	Gould	Lent	Seeley	Yale
Cross	Graubard	Levy A J	Sheide	Yeomans
Cuvillier	Gray	MacGregor	Shepardson	Young
Dawson	Gregg	Manley	Shlivek	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 222, Int. No. 220) entitled "An act to amend the Village Law, in relation to borrowing money," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Day	Gurnett	McDaniels	Smith A E
Ahern	DeLano	Hackett	McElligott	Smith T K
Allen	Donnelly	Haines	McKeon	Stivers
Baumes	Donovan	Hart	Merritt	Sweet
Beach	Drummond	Hammond	Miller	Talmage
Blauvelt	Ebbetts	Hearn	Monczynski	Thorn
Boylan	Evans	Heyman	Mork	Trombly
Brace	Farrell	Higgins	Murray	Turley
Brereton	Fay	Hinman	Myers	Walker
Bridenbecker	Filley	Hoey	Neupert	Ward
Brooks	Fitzpatrick	Hoff	Nolan	Waring
Brown	Foley	Hollmann	O'Connor	Warren
Bryant	Friedman	Hoyt	Oliver	Washburn
Butler	Fry	Huber	O'Neill J J	Waters F A
Carew	Geatons	Jackson	O'Neil M A	Waters R B
Caughlan	Gerhardt	Jameson	Pappert	Weil
Chanler	Gerken	Jones	Parker A	Wende
Coffey	Gillen	Kennedy	Parker J S	Wheeler
Colné	Goldstein	Keys	Pierce	White
Connell	Goodman	Lansing	Saunders	Wilson
Constantine	Goodwin	LaReau	Schifferdecker	Winters
Cosad	Gould	Lent	Seeley	Yale
Cross	Graubard	Levy A J	Sheide	Yeomans
Cuvillier	Gray	MacGregor	Shepardson	Young
Dawson	Gregg	Manley	Shlivek	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 639, Int. No. 607) entitled "An act to amend section three hundred and ten of chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter eighty-three of the Laws of eighteen hundred and ninety-eight, relating to the removal of snow and ice from sidewalks on the parks, parkways and park approaches in said city," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Day	Gurnett	McDaniels	Smith A E
Ahern	DeLano	Hackett	McElligott	Smith T K
Allen	Donnelly	Haines	McKeon	Stivers
Baumes	Donovan	Hart	Merritt	Sweet
Beach	Drummond	Hammond	Miller	Talmage
Blauvelt	Ebbetts	Hearn	Monczynski	Thorn
Boylan	Evans	Heyman	Mork	Trombly
Brace	Farrell	Higgins	Murray	Turley
Brereton	Fay	Hinman	Myers	Walker
Bridenbecker	Filley	Hoey	Neupert	Ward
Brooks	Fitzpatrick	Hoff	Nolan	Waring
Brown	Foley	Hollmann	O'Connor	Warren
Bryant	Friedman	Hoyt	Oliver	Washburn
Butler	Fry	Huber	O'Neill J J	Waters F A
Carew	Geatons	Jackson	O'Neil M A	Waters R B
Caughlan	Gerhardt	Jameson	Pappert	Weil
Chanler	Gerken	Jones	Parker A	Wende
Coffey	Gillen	Kennedy	Parker J S	Wheeler
Colné	Goldstein	Keys	Pierce	White
Connell	Goodman	Lansing	Saunders	Wilson
Constantine	Goodwin	LaReau	Schifferdecker	Winters
Cosad	Gould	Lent	Seeley	Yale
Cross	Graubard	Levy A J	Sheide	Yeomans
Cuvillier	Gray	MacGregor	Shepardson	Young
Dawson	Gregg	Manley	Shlivek	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 680, Int. No. 644) entitled "An act to amend the Military Law, in relation to enlistments and re-enlistments," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Day	Gurnett	McDaniels	Smith A E
Ahern	DeLano	Hackett	McElligott	Smith T K
Allen	Donnelly	Haines	McKeon	Stivers
Baumes	Donovan	Hart	Merritt	Sweet
Beach	Drummond	Hammond	Miller	Talmage
Blauvelt	Ebbetts	Hearn	Monczynski	Thorn

Boylan	Evans	Heyman	Mork	Trombly
Brace	Farrell	Higgins	Murray	Turley
Brereton	Fay	Hinman	Myers	Walker
Bridenbecker	Filley	Hoey	Neupert	Ward
Brooks	Fitzpatrick	Hoff	Nolan	Waring
Brown	Foley	Hollmann	O'Connor	Warren
Bryant	Friedman	Hoyt	Oliver	Washburn
Butler	Fry	Huber	O'Neill J J	Waters F A
Carew	Geatons	Jackson	O'Neil M A	Waters R B
Caughlan	Gerhardt	Jameson	Pappert	Weil
Chanler	Gerken	Jones	Parker A	Wende
Coffey	Gillen	Kennedy	Parker J S	Wheeler
Colné	Goldstein	Keys	Pierce	White
Connell	Goodman	Lansing	Saunders	Wilson
Constantine	Goodwin	LaReau	Schifferdecker	Winters
Cosad	Gould	Lent	Seeley	Yale
Cross	Graubard	Levy A J	Sheide	Yeomans
Cuvillier	Gray	MacGregor	Shepardson	Young
Dawson	Gregg	Manley	Shlivek	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 744, Int. No. 682) entitled "An act to amend section fifteen of the Personal Property Law, relating to trust funds," having been announced for a third reading,

On motion of Mr. Hoey, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

A communication was received from Hon. Westley M. Borst, mayor of the city of Gloversville, returning Assembly bill (No. 26, Int. No. 26), entitled "An act to legalize the proceedings of the city of Gloversville, leading up to and including its issuance and sale of bonds of said city in the amount of seventy-five thousand dollars for completing the erection of a high school building therein, and validate the bonds already issued and sold therefor, and to provide for the payment of the principal and interest of such bonds," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Edwin W. Fiske, mayor of the city of Mount Vernon, returning Assembly bill (No. 76, Int. No. 5), entitled "An act relating to the repaving of West Lincoln avenue and West First street, as widened, from Eleventh avenue to the New York city line, in the city of Mount Vernon," with a message that said mayor, and the common council

of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. A. E. Smith, the House adjourned until Tuesday, March 7th, at 11:30 o'clock A. M.

TUESDAY, MARCH 7, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. A. Dunney.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Twenty-seventh Annual Report of the Commissioners of the State Reservation at Niagara, which was laid upon the table and ordered printed.

(See Assembly Document No. 36.)

Also, the annual report of the Advisory Board of Consulting Engineers, which was laid upon the table and ordered printed.

(See Assembly Document No. 37.)

Also, the annual report of the New York State Commission on Distribution of Population, which was laid upon the table and ordered printed.

(See Assembly Document No. 34.)

Mr. Hackett introduced a bill entitled "An act relating to an act, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and sanitary outlet sewer in the county of Westchester and to provide means for the payment therefor,' being chapter six hundred and forty-six of the Laws of nineteen hundred and five, and the acts amendatory thereof and supplemental thereto; to terminate the terms of office of the sewer commissioners named in said act; to vest the functions of said sewer commissioners in three commissioners to be appointed by the Governor of the State of New York; to enlarge the powers heretofore exercised by said sewer commissioners; and to provide for the examination and investigation of the accounts and

acts of the persons heretofore constituting said sewer commissioners" (Int. No. 865), which was read the first time and referred to the committee on ways and means.

Mr. Merritt introduced a bill entitled "An act to amend an act, entitled 'An act to incorporate the Methodist Book Concern in the city of New York,' being chapter two hundred and sixty-three of the Laws of one thousand eight hundred and sixty-nine" (Int. No. 866), which was read the first time and referred to the committee on charitable and religious societies.

Mr. M. A. O'Neil introduced a bill entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, entitled 'An act to make the office of register of the county of Kings a salaried office and regulating the management of said office,' in relation to the compensation and duties of the register" (Int. No. 867), which was read the first time and referred to the committee on affairs of cities.

Mr. A. E. Smith introduced a bill entitled "An act making an appropriation for the completion of the statutory record of the special statutes of the State authorized by chapter five hundred and thirteen of the Laws of nineteen hundred and ten" (Int. No. 868), which was read the first time and referred to the committee on ways and means.

Mr. Waring introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to taking quail in Dutchess and Ulster counties" (Int. No. 869), which was read the first time and referred to the committee on forestries, fisheries and game.

Also, "An act to amend the Forest, Fish and Game Law, in relation to taking suckers with nets in Ulster county" (Int. No. 870), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Jones introduced a bill entitled "An act to provide for gauging the water diverted from the Black river for canal purposes, for making a public record thereof and establishing such record so far as practicable for the past" (Int. No. 871), which was read the first time and referred to the committee on canals.

Mr. Donnelly introduced a bill entitled "An act to direct the comptroller of the city of New York to cancel certain assessments

on real property for the improvement of Grand street, in the borough of Brooklyn, from Hooper street to Bridge Plaza and to provide for the refunding of such assessments heretofore paid" (Int. No. 872), which was read the first time and referred to the committee on affairs of cities.

Mr. Hoey introduced a bill entitled "An act to amend the Insurance Law, in relation to co-operative fire insurance corporations" (Int. No. 873), which was read the first time and referred to the committee on insurance.

Mr. Jones introduced a bill entitled "An act to amend the Tax Law, in relation to the exemption and reduction in assessment of lands which have been planted with trees for forestry purposes" (Int. No. 874), which was read the first time and referred to the committee on general laws.

Also, "An act to legalize, ratify and confirm certain bonds of the town of Philadelphia, Jefferson county, to be issued for bridge purposes and to legalize, ratify and confirm all proceedings in relation to the issuance and sale thereof; to regulate the delivery of such bonds and provide for their payment" (Int. No. 875), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend chapter two hundred and fifty-eight of the Laws of nineteen hundred and seven, entitled 'An act to provide for a police pension fund for the police force of the city of Watertown,' in relation to the composition of such fund" (Int. No. 876), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldstein introduced a bill entitled "An act to amend the Judiciary Law, in relation to salaries of clerks to justices of Appellate Division of the second department and to salaries of clerks to justices of the Supreme Court in the second judicial district" (Int. No. 877), which was read the first time and referred to the committee on the judiciary.

Mr. Cross introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to discovery in an action for personal injuries or for death" (Int. No. 878), which was read the first time and referred to the committee on the judiciary.

Mr. Pierce introduced a bill entitled "An act to amend the

Forest, Fish and Game Law, in relation to spearing fish in Silver lake" (Int. No. 879), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Butler introduced a bill entitled "An act to amend chapter two hundred and ninety-four of the Laws of eighteen hundred and sixty-nine, entitled 'An act to incorporate the fire department of the city of Binghamton,' relative to the accumulation and disposition of the relief fund of said department, and increasing the number of trustees of said corporation" (Int. No. 880), which was read the first time and referred to the committee on affairs of cities.

Mr. Chanler introduced a bill entitled "An act to amend chapter eighty-two of the Laws of nineteen hundred and three, entitled 'An act to make the office of sheriff of Dutchess county a salaried office, and to regulate the management of said office,' in relation to the compensation of the janitor and bookkeeper in the office of said sheriff" (Int. No. 881), which was read the first time and referred to the committee on internal affairs.

Mr. Evans, from the committee on internal affairs, to which was referred Senate bill introduced by Mr. Sanner (No. 379, Rec. No. 18), entitled "An act to amend the County Law, in relation to the salary of the surrogate of the county of Kings," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Martin, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. Cosad (No. 565, Int. No. 548), entitled "An act to authorize the board of trustees of the village of Seneca Falls to issue bonds to pay the cost of paving portions of certain streets in said village in which the tracks of the Geneva and Auburn Railway Company are located and to assess the cost thereof on such railway."

Also, Assembly bill introduced by Mr. Brace (No. 939, Int. No. 848), entitled "An act to legalize the action of the board of trustees and of the electors of the village of Canajoharie, in relation to the issue of the bonds of such village for fifty thousand dollars to defray a portion of the expense of establishing a system of water works therein, and to legalize such bonds and the issuance thereof, and to provide for the payment of the same," reported in

favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Bush, from the committee on public health, to which was referred Assembly bill introduced by Mr. McElligott (No. 317, Int. No. 316), entitled "An act to amend the Public Health Law, in relation to qualifications for the practice of veterinary medicine and surgery," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Bush, from the committee on public health, to which was referred Assembly bill (No. 291, Int. No. 290) introduced by Mr. Turley, entitled "An act to amend the Public Health Law, in relation to statements in prescriptions by physicians," reported in favor of the passage of the same, with the following amendments:

Page 2, line 9, strike out words after word "shall".

Strike out line 10.

Line 9, after word "shall" insert the words "constitute a misdemeanor".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Day	Hammond	McElligott	Shortt
Ahern	DeLano	Hearn	McGrath	Smith A E
Allen	Donnelly	Herrick W R	McKeon	Smith T K
Baumes	Donovan	Heyman	Merritt	Spielberg
Beach	Drummond	Higgins	Miller	Stivers
Blauvelt	Ebbetts	Hinman	Monczynski	Sweet
Boylan	Egan	Hoey	Mork	Talmage
Brace	Evans	Hoff	Murray	Terry
Brennan	Farrell	Hollmann	Myers	Trombly
Brereton	Fay	Hoyt	Nolan	Turley
Bridenbecker	Filley	Huber	O'Connor	Walker
Brooks	Fitzpatrick	Jackson	Oliver	Ward
Brown	Foley	Jameson	O'Neill J J	Waring
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Washburn
Butler	Geatons	Keys	Parker A	Waters F A
Carew	Gerhardt	Kopp	Parker J S	Waters R B
Caughlan	Gerken	Lansing	Patrie	Weil
Chanler	Goldberg	LaReau	Phillips C W	Wende
Cheney	Goldstein	Lent	Phillips J S	Wheeler
Coffey	Goodman	Levy A J	Pierce	White

Collin	Goodwin	Levy J	Saunders	Wilson
Colné	Graubard	Lincoln	Schifferdecker	Winters
Connell	Gray	MacGregor	Seeley	Yale
Constantine	Gregg	Manley	Shannon	Yeomans
Cosad	Gurnett	Martin	Sheide	Young
Cross	Hackett	McCue	Shepardson	Zorn
Cuvillier	Haines	McDaniels	Shlivek	Speaker
Dawson	Hart			

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Ferris	Griffin	McClelland	Ramsperger	
Black	Fiero	Harden	Murtaugh	Sanner	
Cronin	Frawley	Harte	O'Brien	Sullivan C D	
Cullen	Gittins	Long	Pollock	Wagner	20

FOR CHAUNCEY M. DEPEW.

Allen	Cobb	Heacock	Platt	Travis	
Argetsinger	Emerson	Hewitt	Sage	Wainwright	
Bussey	Hamilton	Ormrod	Thomas	Walters	15

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR J. J. HOPPER.

Duhamel	1

FOR M. J. O'BRIEN.

Loomis	Saxe	2

FOR WILLIAM SULZER.

White	1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Coats with Mr. McManus; Mr. Griffith with Mr. Stilwell; Mr. Rose with Mr. Sullivan, T.D.

The Speaker directed the Clerk of the Assembly to call the roll

of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Farrell	Gregg	Manley	Schifferdecker	
Boylan	Fay	Gurnett	McCue	Seeley	
Brennan	Fitzpatrick	Hackett	McElligott	Sheide	
Bush	Foley	Hearn	McGrath	Smith A E	
Carew	Frisbie	Herrick W R	McKeon	Spielberg	
Caughlan	Geatons	Heyman	Monczynski	Turley	
Collin	Gerhardt	Hoey	Mork	Walker	
Cuvillier	Gerken	Jackson	Oliver	Warren	
Dawson	Gillen	Jameson	O'Neill J J	Washburn	
Donnelly	Goldberg	LaReau	O'Neil M A	Weil	
Donovan	Goldstein	Levy A J	Parker A	Wende	
Egan	Graubard	Levy J	Patrie	Zorn	60

FOR CHAUNCEY M. DEPEW.

Adler	Connell	Higgins	Nolan	Talmage	
Ahern	Constantine	Hinman	Pappert	Ward	
Allen	Cross	Hoff	Parker J S	Waring	
Baumes	DeLano	Jones	Phillips C W	Waters F A	
Brereton	Ebbetts	Keys	Phillips J S	Waters R B	
Brooks	Filley	Kopp	Pierce	White	
Brown	Goodman	Lansing	Shannon	Wilson	
Bryant	Goodwin	Lent	Shepardson	Winters	
Butler	Gray	Lincoln	Shlivek	Yale	
Cheney	Haines	MacGregor	Smith T K	Yeomans	
Coffey	Hammond	Merritt	Stivers	Young	
Colné	Hart	Murray	Sweet		59

FOR M. J. O'BRIEN.

Chanler	Shortt	2

FOR MARTIN H. GLYNN.

Saunders	1

FOR J. J. HOPPER.

O'Connor	1

FOR MARTIN W. LITTLETON.

Beach	Day	Friedman	Huber	Terry	
Brace	Drummond	Hollmann	Martin	Trombly	
Bridenbecker	Evans	Hoyt	Miller	Wheeler	
Cosad					16

FOR WILLIAM SULZER.

Myers	1

FOR ISAAC KAPPER.

Fry	1

FOR H. RIDDER.

Kennedy	1

FOR ALTON B. PARKER.

McDaniels	1

When the roll was called the following pairs were announced:

Mr. Gould with Mr. Shea; Mr. J. J. Herrick with Mr. Sullivan; Mr. Neupert with Mr. Thorn.

Whole number of votes cast	184
Necessary to a choice	93

	Senators.	Assemblymen.	Total.
For William F. Sheehan	20	60	80
For Chauncey M. Depew	15	59	74
For Alton B. Parker	0	1	1
For Martin W. Littleton	2	16	18
For Martin H. Glynn	0	1	1
For M. J. O'Brien	2	2	4
For William Sulzer	1	1	2
For Isaac Kapper	0	1	1
For H. Ridder	0	1	1
For John J. Hopper	1	1	2

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Wednesday, March 8th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Wednesday, March 8th, at 12 o'clock noon in the Assembly Chamber.

The bill (No. 105, Int. No. 105) entitled "An act to amend the Highway Law, in relation to the courses and descriptions of route six of the State highway system," having been announced,

Debate was had thereon.

Mr. Yeomans moved to recommit said bill to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 59
NOES 71

Those who voted in the affirmative were:

Adler	Collin	Goodwin	Lincoln	Shepardson
Ahern	Colné	Hackett	Merritt	Shlivek
Allen	Connell	Hart	Murray	Talmage
Baumes	Constantine	Hammond	Nolan	Ward
Brereton	Cross	Heyman	Oliver	Waring
Brooks	Cuvillier	Higgins	Pappert	Waters F A
Brown	Dawson	Hinman	Parker J S	Waters R B
Bryant	DeLano	Hoff	Phillips C W	Wilson
Bush	Donnelly	Jones	Phillips J S	Winters
Butler	Ebbetts	Keys	Pierce	Yale
Carew	Filley	Kopp	Schifferdecker	Yeomans
Cheney	Geatons	Lent	Shannon	

Those who voted in the negative were:

Beach	Foley	Hoyt	McKeon	Smith T K
Blauvelt	Friedman	Huber	Miller	Spielberg
Boylan	Fry	Jameson	Monczynski	Stivers
Brace	Gerken	Kennedy	Mork	Sweet
Brennan	Gillen	Lansing	Myers	Terry
Bridenbecker	Goldberg	LaReau	O'Connor	Trombly
Caughlan	Goldstein	Levy A J	O'Neill J J	Turley
Chanler	Goodman	Levy J	O'Neil M A	Warren
Cosad	Graubard	MacGregor	Parker A	Washburn
Day	Gregg	Manley	Patrie	Weil
Donovan	Hearn	Martin	Saunders	Wheeler
Drummond	Herrick W R	McDaniels	Seeley	White
Egan	Hoey	McElligott	Sheide	Young
Evans	Hollmann	McGrath	Shortt	Zorn
Fay				

Said bill was then read the second time.

On motion of Mr. Cosad, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 585, Int. No. 563) entitled "An act to amend chapter two hundred and sixty-eight of the Laws of eighteen hundred and ninety-one, entitled 'An act in relation to the office of sheriff in the county of Columbia,' in relation to the salary and disbursements of the sheriff," was read the second time.

On motion of Mr. Saunders, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 730, Int. No. 94) entitled "An act to amend the Penal Law, in relation to Sunday baseball," having been announced for a third reading,

On motion of Mr. McGrath, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

The bill (No. 674, Int. No. 639) entitled "An act to amend the Village Law, in relation to the compensation of certain village officers," was read the second time.

On motion of Mr. Winters, said bill was placed on the order of third reading.

On motion of Mr. Winters, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McDaniels	Shlivek
Ahern	DeLano	Hammond	McElligott	Shortt
Allen	Donnelly	Hearn	McGrath	Smith A E
Baumes	Donovan	Herrick W R	McKeon	Smith T K
Beach	Drummond	Heyman	Merritt	Spielberg
Blauvelt	Ebbetts	Higgins	Miller	Stivers
Boylan	Egan	Hinman	Moncsynski	Sweet
Brace	Evans	Hoey	Mork	Talmage
Brennan	Farrell	Hoff	Murray	Terry
Brereton	Fay	Hollmann	Myers	Trombly
Bridenbecker	Filley	Hoyt	Nolan	Turley
Brooks	Fitzpatrick	Huber	Oliver	Walker
Brown	Foley	Jackson	O'Neill J J	Ward
Bryant	Friedman	Jameson	O'Neil M A	Waring
Bush	Fry	Jones	Pappert	Warren
Butler	Geatons	Kennedy	Parker A	Washburn
Carew	Gerhardt	Keys	Parker J S	Waters F A
Caughlan	Gerken	Kopp	Patrie	Waters R B
Chanler	Goldberg	Lansing	Phillips C W	Weil
Cheney	Goldstein	LaReau	Phillips J S	Wende
Coffey	Goodman	Lent	Pierce	Wheeler
Collin	Goodwin	Levy A J	Saunders	White
Colné	Graubard	Levy J	Schifferdecker	Wilson
Constantine	Gray	Lincoln	Seeley	Winters
Cosad	Gregg	MacGregor	Shannon	Yale
Cross	Gurnett	Manley	Shea	Yeomans
Cuvillier	Hackett	Martin	Sheide	Young
Dawson	Haines	McCue	Shepardson	Zorn

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 884, Int. No. 60) entitled "An act to amend the Code of Civil Procedure, relating to the examination by the sur-

rogate of the county wherein the witnesses reside of the subscribing witnesses to a will offered for probate in another county," was read the second time.

On motion of Mr. M. A. O'Neil, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 881, Int. No. 46) entitled "An act to amend the Code of Civil Procedure, relative to cases in which the service of summons by publication, et cetera, may be ordered," was read the second time.

On motion of Mr. Patrie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 882, Int. No. 53) entitled "An act to amend the Penal Law, in relation to kidnapping," was read the second time.

On motion of Mr. Ward, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 918, Int. No. 34) entitled "An act to amend the Highway Law, relative to a renewal license of chauffeurs," having been announced for a third reading,

On motion of Mr. T. K. Smith, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 320, Int. No. 319) entitled "An act to amend the County Law, relative to additional official duties of the district attorney of Niagara county and to provide for his disbursements in the performance of the same," was read the second time.

On motion of Mr. Constantine, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 412, Int. No. 403) entitled "An act to amend the Public Service Commissions Law, in relation to the issuance of free passes, or franks, by telephone or telegraph companies," having been announced, Mr. Patrie moved to amend as follows:

Page 2, line 7, remove the brackets. Before the word " and " insert " railroad corporations " in italics.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 525, Int. No. 510) entitled "An act to provide

for the payment of the balance due newspapers for the publication of concurrent resolution of the Legislature of nineteen hundred and ten, proposing amendments to the Constitution of this State, and for deficiency in appropriation for the publication of other official notices required to be published as provided by law, which are subject to contract," having been announced, Mr. A. E. Smith moved to amend as follows:

Page 2, line 3, after word "contract" insert "And the further sum of two thousand, four hundred thirty-nine dollars and sixty cents ($2,439.60) for the publication of the general laws of the Legislature of nineteen hundred and ten in the Rome Tri-Weekly Republican and the Potsdam Courier and Freeman to be paid from the appropriation made by chapter five hundred and twelve of the Laws of nineteen hundred and ten, for the publication of general laws."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time and, on motion of Mr. A. E. Smith, was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 729, Int. No. 154) entitled "An act to amend the Public Health Law, relating to cold storage and refrigerating warehouses and places, and the sale or disposition of the food kept or preserved therein," having been announced for a third reading,

On motion of Mr. Brennan, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 723, Int. No. 147) entitled "An act to amend the Public Officers Law, in relation to vacations for persons in the service of the State and of the several civil subdivisions thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 138
NOES 2

Those who voted in the affirmative were:

Adler	DeLano	Hammond	McElligott	Shlivek
Ahern	Donnelly	Hearn	McGrath	Smith A E
Allen	Donovan	Herrick W R	McKeon	Smith T K
Baumes	Drummond	Heyman	Merritt	Spielberg
Beach	Ebbetts	Higgins	Miller	Stivers
Blauvelt	Egan	Hinman	Monczynski	Sweet
Boylan	Evans	Hoey	Mork	Talmage
Brennan	Farrell	Hoff	Murray	Terry
Brereton	Fay	Hollmann	Myers	Trombly
Bridenbecker	Filley	Hoyt	Nolan	Turley
Brooks	Fitzpatrick	Huber	Oliver	Walker
Brown	Foley	Jackson	O'Neill J J	Ward
Bryant	Friedman	Jameson	O'Neil M A	Waring
Bush	Fry	Jones	Pappert	Warren
Butler	Geatons	Kennedy	Parker A	Washburn
Carew	Gerhardt	Keys	Parker J S	Waters F A
Caughlan	Gerken	Kopp	Patrie	Waters R B
Chanler	Goldberg	Lansing	Phillips C W	Weil
Cheney	Goldstein	LaReau	Phillips J S	Wende
Coffey	Goodman	Lent	Pierce	Wheeler
Collin	Goodwin	Levy A J	Saunders	White
Colné	Graubard	Levy J	Schifferdecker	Wilson
Constantine	Gray	Lincoln	Seeley	Winters
Cosad	Gregg	MacGregor	Shannon	Yale
Cross	Gurnett	Manley	Shea	Yeomans
Cuvillier	Hackett	Martin	Sheide	Young
Dawson	Haines	McCue	Shepardson	Zorn
Day	Hart	McDaniels		

Those who voted in the negative were:

Brace Shortt

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 815, Int. No. 457) entitled "An act to amend the County Law, in relation to the compensation of supervisors and assessors in attending meetings of the State Board of Tax Commissioners," having been announced for a third reading,

On motion of Mr. MacGregor, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 740, Int. No. 586) entitled "An act to exempt the real estate of charitable infant asylum corporations in the State of New York, from certain assessments for public improvements," having been announced for a third reading,

On motion of Mr. Goldberg, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 97, Int. No. 97) entitled "An act to revive and extend the corporate existence of Kenmore Improvement Company of Buffalo, New York," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McDaniels	Shlivek
Ahern	DeLano	Hammond	McElligott	Shortt
Allen	Donnelly	Hearn	McGrath	Smith A E
Baumes	Donovan	Herrick W R	McKeon	Smith T K
Beach	Drummond	Heyman	Merritt	Spielberg
Blauvelt	Ebbetts	Higgins	Miller	Stivers
Boylan	Egan	Hinman	Monczynski	Sweet
Brace	Evans	Hoey	Mork	Talmage
Brennan	Farrell	Hoff	Murray	Terry
Brereton	Fay	Hollmann	Myers	Trombly
Bridenbecker	Filley	Hoyt	Nolan	Turley
Brooks	Fitzpatrick	Huber	Oliver	Walker
Brown	Foley	Jackson	O'Neill J J	Ward
Bryant	Friedman	Jameson	O'Neil M A	Waring
Bush	Fry	Jones	Pappert	Warren
Butler	Geatons	Kennedy	Parker A	Washburn
Carew	Gerhardt	Keys	Parker J S	Waters F A
Caughlan	Gerken	Kopp	Patrie	Waters R B
Chanler	Goldberg	Lansing	Phillips C W	Weil
Cheney	Goldstein	LaReau	Phillips J S	Wende
Coffey	Goodman	Lent	Pierce	Wheeler
Collin	Goodwin	Levy A J	Saunders	White
Colné	Graubard	Levy J	Schifferdecker	Wilson
Constantine	Gray	Lincoln	Seeley	Winters
Cosad	Gregg	MacGregor	Shannon	Yale
Cross	Gurnett	Manley	Shea	Yeomans
Cuvillier	Hackett	Martin	Sheide	Young
Dawson	Haines	McCue	Shepardson	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 744, Int. No. 682) entitled "An act to amend section fifteen of the Personal Property Law, relating to trust funds," having been announced for a third reading,

On motion of Mr. Hoey, said bill was recommitted to the committee on insurance, retaining its place on the order of third reading.

A message from the Governor, by the hand of his secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March* 7, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 306), entitled "An act to authorize the Maple Grove Cemetery Association of Worcester, Otsego county, New York, to accept a gift or bequest for the purpose of caring for a certain cemetery lot situate without the boundaries of the cemetery of such association."

This bill is unnecessary special legislation. It authorizes the Maple Grove Cemetery Association to accept a gift or bequest of a sum of at least $1,000 in trust, to use the income for the care and improvement of a certain private burial lot. There is ample authority under section 13-a of the Personal Property Law to create a trust for the purpose of perpetual care of private burial lots in cemeteries. If this provision of the general law is not broad enough to accomplish the result sought by this bill, it should be suitably amended.

This bill is disapproved.

JOHN A. DIX.

On motion of Mr. Miller, said message together with said bill was laid upon the table.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *March* 6, 1911.

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 15, Rec. No. 12), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Leroy Crawford against the State for damages alleged to have been sustained by him by reason of the appropriation of the lands of Mary L. Fisher, in the county of Herkimer, by the forest purchasing board for Adirondack park purposes, and to render judgment therefor," for the purpose of amendment.

By order of the Senate,

PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. A. E. Smith, the House adjourned.

WEDNESDAY, MARCH 8, 1911.

The House met pursuant to adjournment.

Prayer by Rev. James A. Chandler.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend section nineteen hundred and three of the Code of Civil Procedure, relating to distribution of damages recovered" (No. 36, Rec. No. 35), which was read the first time and referred to the committee on codes.

"An act to amend the Legislative Law, in relation to the compensation of the Sergeants-at-Arms" (No. 423, Rec. No. 39), which was read the first time and referred to the committee on ways and means.

"An act to incorporate Arnot Art Gallery" (No. 20, Rec. No. 40), which was read the first time.

On motion of Mr. Bush, and by unanimous consent, said bill was read the second time, and ordered to a third reading.

On motion of Mr. Bush, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McElligott	Shortt
Ahern	DeLano	Herrick J J	McGrath	Smith A E
Allen	Donnelly	Herrick W R	McKeon	Smith T K
Baumes	Donovan	Heyman	Merritt	Spielberg
Beach	Drummond	Higgins	Miller	Stivers
Blauvelt	Ebbetts	Hinman	Monczynski	Sweet
Boylan	Egan	Hoey	Mork	Talmage
Brace	Evans	Hoff	Murray	Terry
Brennan	Farrell	Hollmann	Myers	Trombly
Brereton	Fay	Hoyt	Nolan	Turley
Bridenbecker	Filley	Huber	Oliver	Walker
Brooks	Foley	Jackson	O'Neill J J	Ward
Brown	Friedman	Jameson	O'Neil M A	Waring
Bryant	Fry	Jones	Pappert	Warren
Bush	Geatons	Kennedy	Parker A	Washburn
Carew	Gerhardt	Keys	Parker J S	Waters F A
Caughlan	Gerken	Kopp	Patrie	Waters R B
Chanler	Gillen	Lansing	Phillips C W	Weil
Cheney	Goldberg	LaReau	Phillips J S	Wende
Coffey	Goldstein	Lent	Pierce	Wheeler
Collin	Goodman	Levy J	Saunders	White
Colne	Goodwin	Lincoln	Schifferdecker	Wilson
Connell	Graubard	Macdonald	Seeley	Winters
Constantine	Gray	MacGregor	Shannon	Yale
Cosad	Gregg	Manley	Shea	Yeomans
Cross	Gurnett	Martin	Sheide	Young
Cuvillier	Hackett	McCue	Shepardson	Zorn
Dawson	Hart	McDaniels	Shlivek	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act authorizing and directing the Comptroller to revise and resettle accounts for taxes paid under the provisions of section one hundred and eighty-seven-a of the Tax Law for the year ending June thirtieth, nineteen hundred and eight" (No. 240, Rec. No. 41), which was read the first time and referred to the committee on ways and means.

"An act to amend chapter two hundred and forty of the Laws of nineteen hundred and three, entitled 'An act to authorize the city of Buffalo to acquire lands, by purchase or otherwise, for the construction, maintenance, control and operation of a system of waterworks, and to issue its bonds to carry out such purpose,' generally" (No. 487, Rec. No. 42), which was read the first time and referred to the committee on affairs of cities.

"An act relating to the private use and occupation of a part of Van Rensselaer street in the city of Buffalo underneath a viaduct structure which carries the roadway of said street over its former grade" (No. 366, Rec. No. 43), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' with regard to the election and qualification of judges of said court" (No. 44, Rec. No. 44), which was read the first time and referred to the committee on affairs of cities.

"An act to provide for the acquisition and preservation of the historic building known as the Schuyler mansion, situate in the city of Albany, and making an appropriation therefor" (No. 412, Rec. No. 47), which was read the first time and referred to the committee on ways and means.

"An act to legalize all marriages heretofore solemnized by certain police justices and acting police justices of the village of Port Chester, Westchester county" (No. 554, Rec. No. 48), which was read the first time and referred to the committee on the judiciary.

Mr. Shortt presented the following communication:

A concurrent resolution requesting of the General Assembly of New York the return of certain records.

Whereas, There are in the State Library of New York certain public records of the State of South Carolina, consisting of the minutes of the commissioners of the Navy Board of South Carolina from October 9, 1776, to March 23, 1780, the pay book of the officers and crews of the vessels employed by the State of South Carolina from December 20, 1777, to January 4, 1780, and an engrossed copy of the minutes of the Commissioners of the Navy Board to March 1, 1779, which were illegally removed from the custody of this State at some time prior to 1818, and believing that the State of New York acquired these records through misapprehension or mistake, and believing that upon a proper request to the General Assembly of New York from the General Assembly of South Carolina these records will be returned to this State; therefore, be it

Resolved by the General Assembly of the State of South Carolina: That the General Assembly of the State of New York be,

and hereby is, respectfully requested to return the said records to the State of South Carolina through the Historical Commission of this State.

IN THE SENATE, COLUMBIA, S. C., *February* 8, 1911.

The Senate agrees to the resolution and orders that it be sent to the House of Representatives for concurrence.

By order of the Senate,
M. M. MANN,
Clerk of the Senate.

IN THE HOUSE, COLUMBIA, *February* 9, 1911.

The House agrees to the resolution and orders the same returned to the Senate.

By order of the House,
JAS. A. HOYT,
Clerk of the House.

Mr. Adler introduced a bill entitled "An act to amend the Penal Law, in relation to guide signs lawfully erected upon highways" (Int. No. 882), which was read the first time and referred to the committee on codes.

Mr. Boylan introduced a bill entitled "An act to amend the Public Health Law, in relation to the sale of hypodermic syringes and needles" (Int. No. 883), which was read the first time and referred to the committee on public health.

Mr. Brown introduced a bill entitled "An act to amend the charter of the city of Cortland, in relation to changing the annual rate of interest on certain city obligations" (Int. No. 884), which was read the first time and referred to the committee on affairs of cities.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to enlisted men of the National Guard and Naval Militia" (Int. No. 885), which was read the first time and referred to the committee on military affairs.

Mr. Egan introduced a bill entitled "An act to amend the Greater New York charter, relative to the powers of the fire commissioner, by amending section seven hundred and thirty-nine" (Int. No. 886), which was read the first time and referred to the committee on affairs of cities.

Mr. Geatons introduced a bill entitled "An act to amend chapter twenty-nine of the Laws of nineteen hundred and nine, entitled

'An act relating to municipal corporations, constituting chapter twenty-four of the Consolidated Laws, in relation to exempt volunteer firemen" (Int. No. 887), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and Railroad avenue in Kings county" (Int. No. 888), which was read the first time and referred to the committee on railroads.

Mr. Hammond introduced a bill entitled "An act to amend chapter six hundred and eighty-four of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' relative to the laying of dust in the streets of said city" (Int. No. 889), which was read the first time and referred to the committee on affairs of cities.

Mr. Heyman introduced a bill entitled "An act to amend the Railroad Law, in relation to drip pans under elevated railroad structures in cities of over one million five hundred thousand inhabitants" (Int. No. 890), which was read the first time and referred to the committee on railroads.

Mr. Hoyt introduced a bill entitled "An act to incorporate the city of Beacon" (Int. No. 891), which was read the first time and referred to the committee on affairs of cities.

Mr. Jackson introduced a bill entitled "An act to amend the General Business Law, in relation to licensing pawn-brokers in certain cities" (Int. No. 892), which was read the first time and referred to the committee on affairs of cities.

Mr. Kopp introduced a bill entitled "An act to amend the Labor Law, in relation to the lighting of factories" (Int. No. 893), which was read the first time and referred to the committee on labor and industries.

Mr. Lansing introduced a bill entitled "An act to provide for highways, known and designated as street surface railroads, for the purpose of improving, developing, increasing and further diversifying the productions of the agricultural sections of the State, its market facilities and the desirability as regards residence therein" (Int. No. 894), which was read the first time and referred to the committee on railroads.

Mr. J. Levy introduced a bill entitled "An act to amend chapter twenty-eight of the Consolidated Laws, known as the Insurance Law" (Int. No. 895), which was read the first time and referred to the committee on insurance.

Mr. MacGregor introduced a bill entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the expenses of attendance upon conventions and conferences" (Int. No. 896), which was read the first time and referred to the committee on affairs of cities.

Mr. M. A. O'Neil introduced a bill entitled "An act to amend the Greater New York charter, relative to the fixing, determining upon and establishing line of high water and relative to the sale and exchange of lands and lands under water in connection therewith" (Int. No. 897), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Prison Law, in relation to prisoners subject to parole" (Int. No. 898), which was read the first time and referred to the committee on penal institutions.

Also, "An act to amend the Penal Law, in relation to indeterminate sentences" (Int. No. 899), which was read the first time and referred to the committee on codes.

Mr. Patrie introduced a bill entitled "An act to amend section thirty of article one of chapter thirty-three of the Laws of nineteen hundred and nine, entitled 'An act in relation to insurance corporations, constituting chapter twenty-eight of the Consolidated Laws,' as amended by chapter six hundred and thirty-four of the Laws of nineteen hundred and ten, in relation to appointment of attorney; and removal of cause to Federal courts" (Int. No. 900), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Railroad Law, in relation to the revocation of the appointment of conductors and brakemen as policemen" (Int. No. 901), which was read the first time and referred to the committee on railroads.

Mr. McElligott introduced a bill entitled "An act to amend the Real Property Law and the Domestic Relations Law, in relation to marital property rights" (Int. No. 902), which was read the first time and referred to the committee on the judiciary.

Mr. Goldstein introduced a bill entitled "An act to amend the General Corporation Law, in relation to providing for the withholding in the certificate of incorporation, of any stock corporation, of the right to vote from a certain class of stockholders, and to providing for the right of cumulative voting to any stockholder entitled to vote at elections of directors" (Int. No. 903), which was read the first time and referred to the committee on general laws.

Mr. Bryant introduced a bill entitled "An act to amend the Prison Law, in relation to jail liberties in Genesee county" (Int. No. 904), which was read the first time and referred to the committee on penal institutions.

Mr. Ahern introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to service of a summons upon a domestic corporation" (Int. No. 905), which was read the first time and referred to the committee on codes.

Mr. Spielberg introduced a bill entitled "An act to amend the General Business Law, in relation to fees for detectives' licenses" (Int. No. 906), which was read the first time and referred to the committee on general laws.

Mr. Brereton introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to fires to clear land in the town of Queensbury, Warren county" (Int. No. 907), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Donovan introduced a bill entitled "An act to amend the General Business Law, in relation to regulating the profession of shorthand reporters" (Int. No. 908), which was read the first time and referred to the committee on general laws.

Mr. Jones introduced a bill entitled "An act to provide for surveys, estimates and plans for improving certain portions of the Black river in Jefferson county, and making an appropriation therefor" (Int. No. 909), which was read the first time and referred to the committee on ways and means.

Also, "An act to provide for the repair of the State dam in Black river at Carthage, Jefferson county, and making an appropriation therefor" (Int. No. 910), which was read the first time and referred to the committee on ways and means.

Mr. Coffey introduced a bill entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' relating to general financial provisions, local improvements, condemnation proceedings and area of assessment" (Int. No. 911), which was read the first time and referred to the committee on affairs of cities.

Mr. Pierce introduced a bill entitled "An act to amend the Highway Law, in relation to establishing route forty" (Int. No. 912), which was read the first time and referred to the committee on internal affairs.

Mr. Lincoln introduced a bill entitled "An act to provide for the erection of a new armory building in the city of Jamestown, New York, the acquisition of a site for the same, and making an appropriation therefor; and providing for the sale of the old armory site and building and the application of the proceeds to such new building, and for other purposes relative to the same" (Int. No. 913), which was read the first time and referred to the committee on ways and means.

Mr. A. J. Levy introduced a bill entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, audit and determine the alleged claim of Jacob Bausch for moneys expended by him in employing a telephone operator for the board of coroners of the borough of Manhattan, from January first, nineteen hundred and nine, to December twenty-ninth, nineteen hundred and nine" (Int. No. 914), which was read the first time and referred to the committee on affairs of cities.

Mr. Mork introduced a bill entitled "An act to amend the Greater New York charter, in relation to regulating the use of streets, et cetera" (Int. No. 915), which was read the first time and referred to the committee on affairs of cities.

Mr. Goodwin introduced a bill entitled "An act to repeal chapter one hundred and thirty-seven of the Laws of nineteen hundred and five, entitled 'An act to provide for the publication by the county clerk of Westchester county of certain official notices, repealing chapter two hundred and seven of the Laws of nineteen hundred and four" (Int. No. 916), which was read the first time and referred to the committee on general laws.

By unanimous consent, Mr. Shortt introduced a bill entitled "An act requiring the board of regents of the University of the State of New York to deliver to the State of South Carolina certain documents and records now in the State library" (Int. No. 917), which was read the first time.

On motion of Mr. Shortt, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on general laws.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Day	Herrick J J	McGrath	Shortt
Ahern	DeLano	Herrick W R	McKeon	Smith A E
Allen	Donnelly	Heyman	Merritt	Smith T K
Baumes	Donovan	Higgins	Miller	Spielberg
Beach	Drummond	Hinman	Monczynski	Stivers
Blauvelt	Ebbetts	Hoey	Mork	Sweet
Boylan	Egan	Hoff	Murray	Talmage
Brace	Evans	Hollmann	Myers	Terry
Brennan	Farrell	Hoyt	Nolan	Trombly
Brereton	Fay	Huber	O'Connor	Turley
Bridenbecker	Filley	Jackson	Oliver	Walker
Brooks	Foley	Jameson	O'Neil J J	Ward
Brown	Friedman	Jones	O'Neil M A	Waring
Bryant	Fry	Kennedy	Pappert	Warren
Bush	Geatons	Keys	Parker A	Washburn
Carew	Gerhardt	Kopp	Parker J S	Waters F A
Caughlan	Gerken	Lansing	Patrie	Waters R B
Chanler	Gillen	LaReau	Phillips C W	Weil
Cheney	Goldberg	Lent	Phillips J S	Wheeler
Coffey	Goldstein	Levy J	Pierce	White
Collin	Goodman	Lincoln	Saunders	Wilson
Colné	Goodwin	Macdonald	Schifferdecker	Winters
Connell	Graubard	MacGregor	Seeley	Yale
Constantine	Gray	Manley	Shannon	Yeomans
Cosad	Gregg	Martin	Shea	Young
Cross	Gurnett	McCue	Sheide	Zorn
Cuvillier	Hart	McDaniels	Shepardson	Speaker
Dawson	Hammond	McElligott	Shlivek	

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Fiero	Harden	McManus	Ramsperger	
Black	Frawley	Harte	Murtaugh	Sanner	
Cronin	Gittins	Long	O'Brien	Sullivan C D	
Cullen	Griffin	McClelland	Pollock	Wagner	
Ferris					21

FOR CHAUNCEY M. DEPEW.

Allen	Cobb	Heacock	Platt	Travis	
Argetsinger	Emerson	Hewitt	Sage	Wainwright	
Bussey	Hamilton	Ormrod	Thomas	Walters	
Coats					16

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR M. J. O'BRIEN.

Loomis	Saxe	2

FOR WILLIAM SULZER.

White	1

FOR J. J. HOPPER.

O'Connor	1

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Farrell	Gurnett	McElligott	Seeley	
Boylan	Fay	Hearn	McGrath	Sheide	
Brennan	Foley	Herrick J J	McKeon	Smith A E	
Bush	Frisbie	Herrick W R	Monczynski	Spielberg	
Carew	Geatons	Heyman	Mork	Turley	
Caughlan	Gerhardt	Hoey	Oliver	Walker	
Collin	Gerken	Jackson	O'Neill J J	Warren	
Cuvillier	Gillen	Jameson	O'Neil M A	Washburn	
Dawson	Goldberg	LaReau	Parker A	Weil	
Donnelly	Goldstein	Levy J	Patrie	Wende	
Donovan	Graubard	Manley	Schifferdecker	Zorn	
Egan	Gregg	McCue			58

FOR CHAUNCEY M. DEPEW.

Adler	Connell	Hinman	Nolan	Sweet
Ahern	Constantine	Hoff	Pappert	Talmage
Allen	Cross	Jones	Parker J S	Ward
Baumes	DeLano	Keys	Phillips C W	Waring
Berreton	Ebbetts	Kopp	Phillips J S	Waters F A

Brooks	Filley	Lansing	Pierce	Waters R B	
Brown	Goodman	Lent	Shannon	Wilson	
Bryant	Gray	Lincoln	Shea	Winters	
Butler	Haines	Macdonald	Shepardson	Yale	
Cheney	Hammond	MacGregor	Shlivek	Yeomans	
Coffey	Hart	Merritt	Smith T K	Young	
Colné	Higgins	Murray	Stivers		59

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN H. GLYNN.

Saunders 1

FOR M. J. O'BRIEN.

Chanler Shortt 2

FOR MARTIN W. LITTLETON.

Beach	Cosad	Friedman	Huber	Terry	
Brace	Drummond	Hollmann	Martin	Trombly	
Bridenbecker	Evans	Hoyt	Miller	Wheeler	15

FOR WILLIAM SULZER.

Myers 1

FOR J. J. HOPPER.

O'Connor 1

FOR H. RIDDER.

Kennedy 1

FOR ISAAC KAPPER.

Fry 1

FOR JOHN N. CARLISLE.

Day 1

Whole number of votes cast..... 184

Necessary to a choice..... 93

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	21	58	79
For Chauncey M. Depew.....	16	59	75
For Alton B. Parker.....	0	1	1
For Martin W. Littleton.....	2	15	17
For Martin H. Glynn	0	1	1
For M. J. O'Brien.....	2	2	4
For William Sulzer	1	1	2
For H. Ridder	0	1	1
For John N. Carlisle.....	0	1	1
For John J. Hopper	1	1	2
For Isaac Kapper	0	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Thursday, March 9th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint session for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Thursday, March 9th, at 12 o'clock noon in the Assembly Chamber.

Mr. Foley, from the committee on affairs of cities, reports by bill entitled "An act to provide for the construction of a system of storm sewers for the city of Watervliet" (Int. No. 918), which was read the first time, and said committee recommends that said bill when printed be referred to said committee, which report was agreed to, and said bill ordered printed and referred to the committee on affairs of cities.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Brown (No. 907, Int. No. 818), entitled "An act to amend the charter of the city of Cortland, in relation to the medical and dental examination of children in the public schools and in the State Normal School in said city."

Also, Assembly bill introduced by Mr. Wende (No. 158, Int. No. 157), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to examinations and grade certificates for assistant teachers."

Also, Assembly bill introduced by Mr. Wende (No. 546, Int. No. 529), entitled "An act to amend the Lackawanna city charter, in relation to definitions."

Also, Assembly bill introduced by Mr. Brown (No. 589, Int. No. 567), entitled "An act to amend the charter of the city of Cortland, in relation to street and other public improvements, street sprinkling and sewers, in said city, and the issuance and sale of city bonds for purposes relating thereto."

Also, Assembly bill introduced by Mr. Sweet (No. 672, Int. No. 637), entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of certain sewers and a sewage disposal plant therefor and to the issue of bonds therefor."

Also, Assembly bill introduced by Mr. Wende (No. 640, Int. No. 608), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the department of police in said city."

Also, Assembly bill introduced by Mr. Wende (No. 700, Int. No. 664), entitled "An act to authorize the city of Buffalo to issue bonds bearing interest at a rate not to exceed four and one-half per centum per annum, in cases where the issues of bonds at a limited rate of interest is now authorized by law."

Also, Assembly bill introduced by Mr. MacGregor (No. 698, Int. No. 662), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding a certain temporary nonnegotiable certificate of indebtedness heretofore issued to secure the purchase price of property to be used for street and park purposes in said city."

Also, Assembly bill introduced by Mr. MacGregor (No. 699, Int. No. 663), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding temporary loan bonds heretofore issued to raise money for the purchase of property to be used as a site for a technical high school in said city, and temporary nonnegotiable certificates of indebtedness issued to secure a part of the purchase price of said technical high school site."

Also, Assembly bill introduced by Mr. Wende (No. 701, Int. No. 665), entitled "An act to amend chapter eighty-four of the Laws of nineteen hundred and nine, entitled 'An act authorizing the city of Buffalo to issue its bonds for the construction and equipment of new school buildings,' so as to authorize the use of the proceeds of said bonds for the purchase of lands and increase the limit on the rate of interest on such bonds."

Also, Assembly bill introduced by Mr. Jackson (No. 711, Int.

No. 675), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of placing underground the electrical wires of the police and fire departments of said city."

Also, Assembly bill introduced by Mr. Jackson (No. 710, Int. No. 674), entitled "An act to legalize, ratify and confirm bonds of the city of Buffalo, heretofore authorized and issued."

Also, Assembly bill introduced by Mr. Donnelly (No. 752, Int. No. 690), entitled "An act to amend the Greater New York charter, in relation to city marshals."

Also, Assembly bill introduced by Mr. Foley (No. 773, Int. No. 706), entitled "An act to amend the Greater New York charter, in relation to pensions to members of the police force."

Also, Assembly bill introduced by Mr. Cross (No. 885, Int. No. 795), entitled "An act to amend chapter six hundred and fifty of the Laws of nineteen hundred and four, entitled 'An act to revise the charter of the city of Rome,' generally."

Also, Assembly bill introduced by Mr. Brown (No. 908, Int. No. 819), entitled "An act to amend the charter of the city of Cortland, in relation to the collection of ashes and garbage in said city," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill (No. 747, Int. No. 685) introduced by Mr. McCue, entitled "An act to amend the Greater New York charter, in relation to pensioners holding offices," reported in favor of the passage of the same, with the following amendments:

Page 1, line 3, strike out the words " and amended ".

Strike out all of line 4, and on line 5 strike out the words " hundred and seven ".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill (No. 109, Int. No. 56) introduced by Mr. Brace, entitled "An act to amend, consolidate and revise the several acts relative to the city of Amsterdam," reported in favor of the passage of the same, with the following amendments:

Page 10, line 8, strike out the word " five " and insert in place thereof the word " four ". Strike out the word " assessor ".

Line 9, strike out the words " who shall be designated by the mayor to act as ".

Line 10, strike out words " during his pleasure ".

Line 19, beginning with the word " except " strike out all the rest of the line, and strike out lines 20 and 21 and on line 22 strike out the words " that year ".

Page 11, line 1, strike out word " All ". Strike out all of lines 2, 3, 4 and 5.

Line 23, strike out the word " Upon ". Strike out all of lines 24 and 25, and on line 26 strike out words " hundred and twelve ".

Page 15, line 2, strike out the words " except the officers ", and on line 3 strike out the words " appointed during the year nineteen hundred and eleven ".

Page 29, line 24, strike out the words " The assessor ". Strike out all of line 25.

Page 30, strike out lines 1 and 2.

Page 35, line 13, strike out the words beginning with the sentence " The common ", and strike out all of lines 14, 15 and 16.

Page 45, line 23, strike out words " the erection of bill boards ", and insert in place thereof the words " the posting of bills, signs or advertisements, on any public building, or any telegraph, lighting or telephone pole ".

Line 24, strike out all of line, and line 25 up to and including the word " matter ".

Page 67, beginning with line 5, strike out all of said line and the rest of the section to and including the word " treasurer " on line 14.

Page 68, line 14, strike out all matter beginning with the words " In the event " and the rest of the page to and including all of line 26.

Page 69, strike out all of line 1, all other matter to and including line 13.

Page 71, line 25, strike out words " a superintendent of the fire alarm telegraph system ".

Page 74, line 8, strike out words " a roundsman ".

Page 103, strike out all of lines 23, 24, 25 and 26.

Page 104, strike out all matter beginning with line 1 to and including line 7.

Page 105, line 2, beginning with the comma, after the word " counsel ", strike out rest of line, and also lines 3, 4 and 5.

Line 7, strike out words " first meeting in the year nineteen hun- ". Strike out line 8 and on line 9 strike out the words to and including the word " its ".

Page 151, line 26, strike out the word "April" and insert in place thereof the word "January". Strike out word "eleven" and insert in place thereof the word "twelve".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill (No. 360, Int. No. 353) introduced by Mr. McCue, entitled "An act to amend the Greater New York charter, in relation to allowances for blind persons and appropriations therefor, and making temporary provision for raising funds for the present increase of such allowances," reported in favor of the passage of the same, with the following amendments:

Page 2, line 9, strike out the brackets before the word "not" and after the word "exceed". Strike out word "of" in same line.

Page 2, line 15, strike out the word "shall" and insert in place thereof the word "may".

Page 2, line 16, before the word "within" insert in italics the following: "and in such case shall be made".

Page 2, line 25, strike out the words "revenue bonds" and insert in place thereof "certificates of indebtedness".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. McCue (No. 831, Int. No. 716), entitled "An act to amend the Greater New York charter, in relation to revocation of auctioneers' licenses," reported in favor of the passage of the same, with the following amendment:

Page 2, strike out all of line 12 and insert in place thereof the following: "taking the evidence to be produced at the hearing upon said complaint, and in".

which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Hoey (No. 687, Int. No. 651), entitled "An act to amend the Greater New York charter, relating to the uniformed force of the fire department," reported the same with the following amendments:

Page 1, line 3, strike out the words " as amended ". Strike out all of lines 4, 5, and on line 6 strike out the following: " forty-seven of the Laws of nineteen hundred and seven ".

Page 2, line 12, strike out the words " licensed marine firemen " and insert in place thereof in italics " marine stokers ".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. McElligott (No. 656, Int. No. 621), entitled "An act to amend the Greater New York charter, in relation to compensation of day laborers in the service of said city," reported the same with the following amendments:

Strike out the word " day " in the title of the act.

Page 1, line 6, strike out the word " day ".

Page 1, line 7, strike out the word " day ". Also words " payable from the ".

Page 1, line 9, strike out the word " day ".

Page 1, line 8, strike out the words " city treasury " and insert in place thereof the words " in any of the departments of the city of New York or in the various county offices wholly within the boundaries of said city, payable from public funds ".

Page 2, line 3, strike out the word " day " where it occurs twice.

Line 6, strike out the word " day ".

Line 10, strike out the word " day ". Strike out the word " any " and insert in place thereof the word " such ", and after the word " department " in said line insert the words " or office ".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Boylan (No. 391, Int. No. 382), entitled "An act to amend the General City Law, in relation to elevators in cities of the first class," reported the same with the following amendments:

Page 2, line 5, after the word " metal " strike out all matter down to line 9 and inclusive to the word " unsecured ".

Line 26, strike out word " eighteen " and insert " twenty ".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Foley, from the committee on affairs of cities, to which was referred Senate bill introduced by Mr. Sage (No. 390, Rec. No. 27), entitled "An act in relation to the improvement of State street in the city of Albany," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Hammond (No. 893, Int. No. 803), entitled "An act to amend chapter twenty of the Laws of nineteen hundred and six, entitled 'An act creating the office of purchasing agent for the county of Onondaga, and prescribing his powers and duties,' generally," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Senate bill introduced by Mr. Allen (No. 227, Rec. No. 20), entitled "An act to amend chapter thirty-five of the Laws of nineteen hundred and ten, entitled 'An act permitting the board of supervisors of Rensselaer county to create a commission to erect and furnish a new jail, workhouse and quarters for the sheriff of the county of Rensselaer, within the city of Troy, for the use of said county, to acquire the necessary land therefor, and to provide means to defray the expenses thereof," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. LaReau (No. 108, Int. No. 108), entitled "An act to authorize the Adjutant-General to reopen, try and determine the claim made by John A. Morrissey, private, Seventy-fourth Regiment Infantry, National Guard, for expenses for an operation resulting from injuries received during service."

Also, the bill introduced by Mr. Cuvillier (No. 682, Int. No. 646), entitled "An act to amend the Military Law, in relation to allowances and devises and bequests to cavalry organizations."

Also, the bill introduced by Mr. Oliver (No. 532, Int. No. 516), entitled "An act to amend the General Municipal Law, in relation to examiners of accounts of municipalities."

Also, the bill introduced by Mr. Egan (No. 468, Int. No. 459), entitled "An act to amend the General Business Law, in relation to the certification of public accountants."

Also, the bill introduced by Mr. Ward (No. 882, Int. No. 53), entitled "An act to amend the Penal Law, in relation to kidnapping."

Also, the bill introduced by Mr. M. A. O'Neil (No. 884, Int. No. 60), entitled "An act to amend the Code of Civil Procedure, relating to the examination by the surrogate of the county wherein the witnesses reside of the subscribing witnesses to a will offered for probate in another county."

Also, the bill introduced by Mr. Patrie (No. 881, Int. No. 46), entitled "An act to amend the Code of Civil Procedure, relative to cases in which the services of summons by publication, et cetera, may be ordered."

Also, the bill introduced by Mr. Saunders (No. 585, Int. No. 563), entitled "An act to amend chapter two hundred and sixty-eight of the Laws of eighteen hundred and ninety-one, entitled 'An act in relation to the office of sheriff in the county of Columbia,' in relation to the salary and disbursements of the sheriff."

Also, the bill introduced by Mr. Cosad (No. 105, Int. No. 105), entitled "An act to amend the Highway Law, in relation to the courses and descriptions of route six of the State highway system."

Also, the bill introduced by Mr. Constantine (No. 320, Int. No. 319), entitled "An act to amend the County Law, relative to additional official duties of the district attorney of Niagara county, and to provide for his disbursements in the performance of the same," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the General Business Law, in relation to the certification of public accountants." (No. 468, Int. No. 459.)

"An act to authorize the Adjutant-General to reopen, try and determine the claim made by John A. Morrissey, private, Seventy-fourth Regiment Infantry, National Guard, for expenses

for an operation resulting from injuries received during service." (No. 108, Int. No. 108.)

"An act to legalize certain bonds of the county of Erie." (No. 751, Int. No. 689.)

"An act to amend the Greater New York charter, in relation to the establishment of day nurseries and the acquisition of land and buildings therefor." (No. 836, Int. No. 380.)

"An act to amend the Village Law, in relation to the compensation of certain village officers." (No. 674, Int. No. 639.)

"An act to amend the Highway Law, in relation to the courses and descriptions of route six of the State highway system." (No. 105, Int. No. 105.)

"An act to amend the Code of Civil Procedure, relative to cases in which the service of summons by publication, et cetera, may be ordered." (No. 881, Int. No. 46.)

"An act to amend the General Municipal Law, in relation to examiners of accounts of municipalities." (No. 532, Int. No. 516.)

"An act to amend chapter two hundred and sixty-eight of the Laws of eighteen hundred and ninety-one, entitled 'An act in relation to the office of sheriff in the county of Columbia,' in relation to the salary and disbursements of the sheriff." (No. 585, Int. No. 563.)

"An act to amend the Military Law, in relation to allowances and devises and bequests to cavalry organizations." (No. 682, Int. No. 646.)

"An act to amend the Code of Civil Procedure, relating to the examination by the surrogate of the county wherein the witnesses reside of the subscribing witnesses to a will offered for probate in another county." (No. 884, Int. No. 60.)

Mr. Young offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on public education be discharged from the further consideration of Senate bill (No. 419, Rec. No. 28), entitled "An act to amend chapter four hundred and thirty-one of the Laws of nineteen hundred and nine, entitled 'An act to establish a public school teachers' retirement fund in Westchester county,' in relation to the sources of said fund, payments into and from the same, persons entitled to annuities and other moneys payable therefrom and the amount of any such annuity."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Young, and by unanimous consent, said bill was read the second time, and ordered to a third reading.

On motion of Mr. Young, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McElligott	Shortt
Ahern	DeLano	Herrick J J	McGrath	Smith A E
Allen	Donnelly	Herrick W R	McKeon	Smith T K
Baumes	Donovan	Heyman	Merritt	Spielberg
Beach	Drummond	Higgins	Miller	Stivers
Blauvelt	Ebbetts	Hinman	Monczynski	Sweet
Boylan	Egan	Hoey	Mork	Talmage
Brace	Evans	Hoff	Murray	Terry
Brennan	Farrell	Hollmann	Myers	Trombly
Brereton	Fay	Hoyt	Nolan	Turley
Bridenbecker	Filley	Huber	Oliver	Walker
Brooks	Foley	Jackson	O'Neill J J	Ward
Brown	Friedman	Jameson	O'Neil M A	Waring
Bryant	Fry	Jones	Pappert	Warren
Bush	Geatons	Kennedy	Parker A	Washburn
Carew	Gerhardt	Keys	Parker J S	Waters F A
Caughlan	Gerken	Kopp	Patrie	Waters R B
Chanler	Gillen	Lansing	Phillips C W	Weil
Cheney	Goldberg	LaReau	Phillips J S	Wende
Coffey	Goldstein	Lent	Pierce	Wheeler
Collin	Goodman	Levy J	Saunders	White
Colné	Goodwin	Lincoln	Schifferdecker	Wilson
Connell	Graubard	Macdonald	Seeley	Winters
Constantine	Gray	MacGregor	Shannon	Yale
Cosad	Gregg	Manley	Shea	Yeomans
Cross	Gurnett	Martin	Sheide	Young
Cuvillier	Hackett	McCue	Shepardson	Zorn
Dawson	Hart	McDaniels	Shlivek	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 939, Int. No. 848) entitled "An act to legalize the action of the board of electors of the village of Canajoharie,

in relation to the issue of the bonds of such village for fifty thousand dollars to defray a portion of the expense of establishing a system of water works therein, and to legalize such bonds and the issuance thereof, and to provide for the payment of the same," was read the second time.

On motion of Mr. Brace, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 565, Int. No. 548) entitled "An act to authorize the board of trustees of the village of Seneca Falls to issue bonds to pay the cost of paving portions of certain streets in said village in which the tracks of the Geneva and Auburn Railway Company are located and to assess the cost thereof on such railway company," was read the second time.

On motion of Mr. Cosad, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 379, Rec. No. 18) entitled "An act to amend the County Law, in relation to the salary of the surrogate of the county of Kings," having been announced for a second reading,

On motion of Mr. Donovan, said bill was recommitted to the committee on internal affairs, retaining its place on the order of second reading.

The bill (No. 317, Int. No. 316) entitled "An act to amend the Public Health Law, in relation to qualifications for the practice of veterinary medicine and surgery," was read the second time.

On motion of Mr. McElligott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 918, Int. No. 34) entitled "An act to amend the Highway Law, relative to a renewal license of chauffeurs," was read the second time.

On motion of Mr. T. K. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 829, Int. No. 127) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' with reference to the opening of defaults or dismissals, and vacating judgments and final orders," was read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McElligott	Shortt
Ahern	DeLano	Herrick J J	McGrath	Smith A E
Allen	Donnelly	Herrick W R	McKeon	Smith T K
Baumes	Donovan	Heyman	Merritt	Spielberg
Beach	Drummond	Higgins	Miller	Stivers
Blauvelt	Ebbetts	Hinman	Monczynski	Sweet
Boylan	Egan	Hoey	Mork	Talmage
Brace	Evans	Hoff	Murray	Terry
Brennan	Farrell	Hollmann	Myers	Trombly
Brereton	Fay	Hoyt	Nolan	Turley
Bridenbecker	Filley	Huber	Oliver	Walker
Brooks	Foley	Jackson	O'Neill J J	Ward
Brown	Friedman	Jameson	O'Neil M A	Waring
Bryant	Fry	Jones	Pappert	Warren
Bush	Geatons	Kennedy	Parker A	Washburn
Carew	Gerhardt	Keys	Parker J S	Waters F A
Caughlan	Gerken	Kopp	Patrie	Waters R B
Chanler	Gillen	Lansing	Phillips C W	Weil
Cheney	Goldberg	LaReau	Phillips J S	Wende
Coffey	Goldstein	Lent	Pierce	Wheeler
Collin	Goodman	Levy J	Saunders	White
Colné	Goodwin	Lincoln	Schifferdecker	Wilson
Connell	Graubard	Macdonald	Seeley	Winters
Constantine	Gray	MacGregor	Shannon	Yale
Cosad	Gregg	Manley	Shea	Yeomans
Cross	Gurnett	Martin	Sheide	Young
Cuvillier	Hackett	McCue	Shepardson	Zorn
Dawson	Hart	McDaniels	Shlivek	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 729, Int. No. 154) entitled "An act to amend the Public Health Law, relating to cold storage and refrigerating warehouses and places, and the sale or disposition of food kept or preserved therein," having been announced,

Mr. Cuvillier moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith, amended as follows:

On page 2, line 22, strike out the words "without the State".

On page 3, lines 20 and 21, strike out the words "six calendar months" and insert in place thereof "one year".

On page 5, line 6, strike out the words " six months " and insert in place thereof " one year ".

On page 5, line 13, strike out the words " six months " and insert in place thereof " one year ".

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Warren moved to recommit said bill to the committee on public health.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 61
NOES 78

Those who voted in the affirmative were:

Adler	Cuvillier	Jones	Patrie	Trombly
Ahern	Day	Keys	Phillips C W	Walker
Allen	DeLano	Lansing	Phillips J S	Ward
Baumes	Filley	Lent	Pierce	Waring
Beach	Friedmann	Lincoln	Shannon	Warren
Blauvelt	Goodman	Macdonald	Shepardson	Waters F A
Brereton	Hart	Martin	Shlivek	Waters R B
Bridenbecker	Hammond	Merritt	Shortt	Wheeler
Brooks	Herrick W R	Mork	Smith T K	White
Bryant	Higgins	Nolan	Stivers	Winters
Butler	Hoff	Pappert	Talmage	Yeomans
Cheney	Hollmann	Parker J S	Terry	Young
Connell				

Those who voted in the negative were:

Boylan	Donovan	Goodwin	LaReau	O'Neil M A
Brace	Drummond	Graubard	Levy J	Parker A
Brennan	Ebbetts	Gregg	MacGregor	Saunders
Brown	Egan	Gurnett	Manley	Schifferdecker
Bush	Evans	Haines	McCue	Seeley
Carew	Farrell	Hearn	McDaniels	Shea
Caughlan	Fay	Herrick J J	McElligott	Sheide
Chanler	Fitzpatrick	Heyman	McGrath	Smith A E
Coffey	Foley	Hinman	McKeon	Spielberg
Collin	Fry	Hoey	Miller	Sweet
Colne	Geatons	Hoyt	Monczynski	Turley
Constantine	Gerhardt	Huber	Murray	Weil
Cosad	Gerken	Jackson	Myers	Wende
Cross	Gillen	Jameson	O'Connor	Wilson
Dawson	Goldberg	Kennedy	Oliver	Yale
Donnelly	Goldstein	Kopp	O'Neill J J	Zorn

Mr. Lansing moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith, amended as follows:

Page 3, line 19, after "otherwise" insert the following: "butter or cheese a longer period than twelve months, eggs a longer period than nine months or".

Page 3, line 20, before "kind" insert the word "other" and strike out the word "any".

Page 5, line 4, before "being" insert the words "other than butter, cheese or eggs".

Page 5, line 6, after "months" insert the following: "and in the event of butter or cheese being so kept for a longer period than twelve months, or eggs for a longer period than nine months,".

Page 5, line 12, before "period" insert the word "permitted".

Page 5, line 13, strike out "six months" and insert in place thereof the words "cold storage".

Page 5, line 18, after "food" insert the following: ", other than butter or cheese,".

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 68
NOES 72

Those who voted in the affirmative were:

Adler	Connell	Higgins	Nolan	Talmage
Ahern	Cosad	Hinman	Pappert	Walker
Allen	Cross	Hoff	Parker J S	Ward
Baumes	Cuvillier	Hollmann	Patrie	Waring
Beach	Day	Jones	Phillips C W	Warren
Blauvelt	DeLano	Keys	Phillips J S	Waters F A
Brace	Ebbetts	Kopp	Pierce	Waters R B
Bridenbecker	Filley	Lansing	Shannon	Wheeler
Brooks	Friedman	Lent	Shepardson	White
Brown	Goodman	Lincoln	Shortt	Wilson
Bryant	Gray	Macdonald	Smith T K	Winters
Butler	Gregg	MacGregor	Stivers	Yeomans
Cheney	Hart	Merritt	Sweet	Young
Colné	Hammond	Murray		

Those who voted in the negative were:

Boylan	Farrell	Herrick W R	McElligott	Seeley
Brennan	Fay	Heyman	McGrath	Shea
Brereton	Fitzpatrick	Hoey	McKeon	Sheide
Bush	Foley	Hoyt	Miller	Shlivek
Carew	Fry	Huber	Monczynski	Smith A E
Caughlan	Geatons	Jackson	Mork	Spielberg
Chanler	Gerhardt	Jameson	Myers	Terry
Collin	Gerken	Kennedy	O'Connor	Trombly
Constantine	Gillen	LaReau	Oliver	Turley
Dawson	Goldberg	Levy J	O'Neil J J	Washburn
Donnelly	Goldstein	Manley	O'Neil M A	Weil
Douovan	Gerhardt	Martin	Parker A	Wende
Drnmmond	Gurnett	McCue	Saunders	Yale
Egan	Hearn	McDaniels	Schifferdecker	Zorn
Evans	Herrick J J			

Mr. Ahern moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith, amended as follows:

On page 6, line 2, strike out " for the purpose of placing on the market for sale " and insert in place thereof " and exposed for sale in retail market ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101
NOES 35

Those who voted in the affirmative were:

Beach	Drummond	Haines	McCue	Shea
Boylan	Ebbetts	Hearn	McDaniels	Sheide
Brace	Egan	Herrick J J	McElligott	Shlivek
Brennan	Evans	Herrick W R	McGrath	Shortt
Bridenbecker	Farrell	Heyman	McKeon	Smith A E
Brooks	Fay	Hoey	Miller	Smith T K
Brown	Filley	Hoff	Monczynski	Spielberg
Bush	Foley	Hollmann	Mork	Sweet
Carew	Friedman	Hoyt	Murray	Terry
Caughlan	Fry	Huber	Myers	Trombly
Chanler	Geatons	Jackson	O'Connor	Turley
Collin	Gerhardt	Jameson	Oliver	Walker
Colné	Gerken	Kennedy	O'Neill J J	Ward
Constantine	Gillen	Kopp	O'Neil M A	Washburn
Cosad	Goldberg	LaReau	Parker A	Weil
Cross	Goldstein	Lent	Phillips C W	Wheeler
Dawson	Goodman	Levy J	Saunders	Wilson
Day	Graubard	MacGregor	Schifferdecker	Yale
DeLano	Gregg	Manley	Seeley	Young
Donnelly	Gurnett	Martin	Shannon	Zorn
Donovan				

Those who voted in the negative were:

Adler	Cheney	Jones	Parker J S	Waring
Ahern	Connell	Keys	Patrie	Warren
Allen	Cuvillier	Lansing	Phillips J S	Waters F A
Baumes	Hart	Lincoln	Pierce	Waters R B
Brereton	Hammond	Macdonald	Shepardson	White
Bryant	Higgins	Merritt	Stivers	Winters
Butler	Hinman	Pappert	Talmage	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 815, Int. No. 457) entitled "An act to amend the County Law, in relation to the compensation of supervisors and assessors in attending meetings of the State Board of Tax Commissioners," having been announced for a third reading,

On motion of Mr. Brown, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 740, Int. No. 586) entitled "An act to exempt the real estate of charitable infant asylum corporations in the State of New York, from certain assessments for public improvements," having been announced for a third reading,

On motion of Mr. Goldberg, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 267, Int. No. 265), entitled "An act to reappropriate certain unexpended balances for the State Commission in Lunacy," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the Senate bill (No. 43, Assembly reprint No. 770, Rec. No. 11), entitled "An act to amend chapter one hundred and fifteen of the Laws of nineteen hundred and nine, entitled 'An act authorizing the city of Buffalo to construct, equip and maintain a municipal hospital or hospitals either within or outside the limits of said city, for the exclusive care and treatment of persons affected with incipient tuberculosis, and authorizing said city to acquire lands for such purposes and to borrow money therefor by the issue of bonds,' increasing the aggregate amount which said city may borrow for such purposes, and increasing the maximum rate of interest on such bonds," with a

message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill (No. 275, Int. No. 273), entitled "An act providing for the installing of an elevator in the State armory in Elmira for the use of the several posts of the Grand Army of the Republic occupying the third story of said armory, pursuant to chapter two hundred and eighty-three, Laws of eighteen hundred and eighty-seven, and making an appropriation therefor."

Also, the bill (No. 345, Int. No. 344), entitled "An act to establish the office of receiver of taxes of the town of Babylon, in the county of Suffolk, defining the powers and duties of the receiver and fixing his compensation."

Also, the bill (No. 364, Int. No. 357), entitled "An act to make the office of county clerk of the county of Delaware a salaried office, and regulating the management of said office and fixing the salary of said clerk and his assistants."

Also, the bill (No. 608, Int. No. 452), entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and sixty-six, entitled 'An act to establish and incorporate the Drew Seminary and Female College,' in relation to providing for changing the number of trustees."

Also, the bill (No. 186, Int. No. 185), entitled "An act to authorize the town of Frankfort in Herkimer county to provide for the construction of a State highway of additional width and pay the expense thereof."

Also, the bill (No. 573, Int. No. 93), entitled "An act to amend section sixteen hundred and twenty-seven of the Code of Civil Procedure, when people of State is made party, in action to foreclose mortgage."

Also, the bill (No. 574, Int. No. 92), entitled "An act to amend section fifteen hundred and ninety-four of the Code of Civil Procedure, when State is interested as party defendant."

Also, the bill (No. 575, Int. No. 91), entitled "An act to amend section four hundred and forty-seven of the Code of Civil Procedure, as to defendants, when the people of the State are made party defendant," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 35, Int. No. 35), entitled "An act to authorize the city of Kingston to borrow money for street improvements and issue bonds therefor."

Also, the bill (No. 36, Int. No. 36), entitled "An act to authorize the city of Kingston to borrow money for the acquisition of a site and the construction of a building for city purposes," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of Kingston.

Also, the bill (No. 81, Int. No. 81), entitled "An act authorizing the fire commissioner of the city of New York to allow a pension to Marcella A. Graham, the sister of a former member of such department," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

A communication was received from Hon. Edward Schoeneck, mayor of the city of Syracuse, returning Assembly bill (No. 577, Int. No. 487), entitled "An act to amend chapter three hundred and fifty-six of the Laws of nineteen hundred and seven, as amended by chapter one hundred and seven of the Laws of nineteen hundred and nine, entitled 'An act to provide for the construction of intercepting sewers in and for the city of Syracuse, in relation to the issue and payment of bonds,'" with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Edwin W. Fiske, mayor of the city of Mount Vernon, returning Assembly bill (No. 4, Int. No. 4), entitled "An act to amend chapter one hundred and seventy-six of the Laws of nineteen hundred and five, entitled 'An act relating to the paving and grading of streets and highways in the city of Mount Vernon, and authorizing such city to raise money therefor by the issue of bonds,'" with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. M. D. Hanson, mayor of the city of Cohoes, returning Assembly bill (No. 632, Int. No. 227), entitled "An act to amend chapter three hundred and eighty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the city of Cohoes to borrow money for the purpose of better equipping its fire department, and to issue and sell its bonds for the money so borrowed, and to provide for raising money by taxation in said city for the redemption of said bonds and the payment of interest thereof,' in relation to the rate of interest on bonds to be issued thereunder, authorizing the common council to amend a resolution heretofore passed in respect to the rate of such interest, and ratifying and confirming the action of the city, its common council, officers and agents in respect to proceedings leading up to and including the passage of such resolution," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. M. D. Hanson, mayor of the city of Cohoes, returning Assembly bill (No. 633, Int. No. 267), entitled "An act to amend chapter three hundred and ninety-two of the Laws of nineteen hundred and two, entitled 'An act to authorize the common council of the city of Cohoes to borrow money by the issuing of bonds for the improvement of the quality and quantity of the present water supply, and the procuring of an additional supply of pure and wholesome water for said city,' in relation to the rate of interest on bonds to be issued thereunder, authorizing the common council to amend a resolution heretofore passed in respect to the rate of such interest, and ratifying and confirming the action of the city, its common council, board of water commissioners, officers and agents in respect to proceedings leading up to and including the passage of such resolution," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Whereas, The Honorable James Owens, a former Senator of the twenty-first senatorial district, departed this life on March seventh, nineteen hundred and eleven.

Whereas, Senator Owens was a man of the highest character and integrity, a loyal, conscientious public servant. Before coming to the Senate he was an alderman of the city of New York for five terms. He served in the navy with credit and honor during the Civil War.

Resolved, That this House adjourn out of respect to the memory of the late Senator James Owens.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared the House adjourned.

THURSDAY, MARCH 9, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to authorize the voters of union free school district number six of the town of West Seneca, in the county of Erie, to vote certain additional taxes and to provide for the collection of the same" (No. 418, Rec. No. 36), which was read the first time and referred to the committee on public education.

"An act to legalize, ratify and confirm the sale and issuance of the bonds of the village of Saranac Lake in the aggregate amount of sixty-seven thousand dollars, and to provide for the payment of the principal and interest of the same" (No. 39, Rec. No. 37), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter one hundred and eighteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of county clerk of Oswego county a salaried office, and regulating the management of said office, and fixing the salary of said clerk and his assistants,' in relation to the salaries of the special deputy and court clerk and index clerk, in said county"

(No. 523, Rec. No. 38), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter two hundred and sixty-eight of the Laws of eighteen hundred and ninety-one, entitled 'An act in relation to the office of sheriff in the county of Columbia,' in relation to the salary and disbursements of the sheriff" (No. 414, Rec. No. 45), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Agricultural Law, in relation to the definition of the terms 'butter' and 'cheese'" (No. 465, Rec. No. 46), which was read the first time and referred to the committee on agriculture.

"An act to amend the Agricultural Law, in relation to actions against agricultural societies" (No. 466, Rec. No. 49), which was read the first time and referred to the committee on agriculture.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John M. Shultz against the State for damages alleged to have been sustained by him and to render judgment therefor" (No. 555, Rec. No. 50), which was read the first time and referred to the committee on claims.

"An act to amend the County Law, in relation to the compensation of supervisors and assessors in attending meetings of the State Board of Tax Commissioners" (No. 321, Rec. No. 51), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Liquor Tax Law, in relation to bonds to be given" (No. 334, Rec. No. 52), which was read the first time and referred to the committee on excise.

"An act to amend section two thousand four hundred and thirty-four of the Code of Civil Procedure, in relation to what judge may entertain proceedings supplementary to and in aid of execution" (No. 495, Rec. No. 53), which was read the first time and referred to the committee on codes.

"An act to amend the Code of Civil Procedure, in relation to the city court of the city of New York and the jurisdiction thereof" (No. 357, Rec. No. 54), which was read the first time and referred to the committee on codes.

"An act to amend the Civil Rights Law, in relation to exhi-

bition of photographs" (No. 256, Rec. No. 55), which was read the first time and referred to the committee on general laws.

"An act to release to Emil Riese all the right, title and interest of the people of the State of New York in and to certain real estate in the borough of Brooklyn, city of New York, county of Kings and State of New York" (No. 266, Rec. No. 56), which was read the first time and referred to the committee on affairs of cities.

Mr. Brown introduced a bill entitled "An act to amend the Insurance Law, in relation to mutual associations for the insurance of motor vehicles" (Int. No. 919), which was read the first time and referred to the committee on insurance.

Mr. Cheney introduced a bill entitled "An act to amend chapter four hundred and seventy-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the city of Olean,' relative to the territorial limits of said city" (Int. No. 920), which was read the first time and referred to the committee on affairs of cities.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to the Naval Militia" (Int. No. 921), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Public Buildings Law, in relation to admission to the Soldiers' Home" (Int. No. 922), which was read the first time and referred to the committee on soldiers' home.

Also, "An act to amend the State Charities Law, in relation to supervision of private charitable organizations" (Int. No. 923), which was read the first time and referred to the committee on charitable and religious societies.

Mr. Donovan introduced a bill entitled "An act to amend the Penal Law, in relation to assault on public officials" (Int. No. 924), which was read the first time and referred to the committee on codes.

Also, "An act to amend chapter four hundred and forty-four of the Laws of nineteen hundred and seven, entitled 'An act authorizing the board of estimate and apportionment of the city of New York, in its discretion, to direct that the cost and expense of opening, widening or extending streets in said city for the purpose

of using such streets as an approach to bridges connecting the various boroughs of said city, shall be borne and paid by the city of New York" (Int. No. 925), which was read the first time and referred to the committee on affairs of cities.

Mr. Goodman introduced a bill entitled "An act to amend the Greater New York charter, in relation to the police department" (Int. No. 926), which was read the first time and referred to the committee on affairs of cities.

Mr. Gould introduced a bill entitled "An act to amend the Insurance Law, in relation to rate or premium agreements" (Int. No. 927), which was read the first time and referred to the committee on insurance.

Mr. Gregg introduced a bill entitled "An act to provide for the improvement of the Black River canal, and for the repair and reconstruction of the structures thereof, between the northerly boundary of Boonville and the State dam at Carthage, and making an appropriation therefor" (Int. No. 928), which was read the first time and referred to the committee on ways and means.

Mr. W. R. Herrick introduced a bill entitled "An act providing for the sale of the State arsenal lands and building in the city of New York and the application of the proceeds of such sale to a new State arsenal lands and building, new armories, repairs to State armories and for other purposes relative to the same" (Int. No. 929), which was read the first time and referred to the committee on ways and means.

Mr. Jackson introduced a bill entitled "An act to amend the Labor Law, relating to definitions" (Int. No. 930), which was read the first time and referred to the committee on labor and industries.

Mr. Lansing introduced a bill entitled "An act to amend the Transportation Corporations Law, in relation to charges by gas or electric light corporations" (Int. No. 931), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Oliver introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to places in which the traffic of liquor shall not be permitted" (Int. No. 932), which was read the first time and referred to the committee on excise.

Also, "An act to amend the Greater New York charter, in relation to theatres' licenses" (Int. No. 933), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the General Business Law, in relation to the liability of hotel-keepers" (Int. No. 934), which was read the first time and referred to the committee on general laws.

Mr. J. J. O'Neill introduced a bill entitled "An act to amend the Labor Law, in relation to powers of the Commissioner of Labor" (Int. No. 935), which was read the first time and referred to the committee on labor and industries.

Mr. Warren introduced a bill entitled "An act to amend the Penal Law, relative to buying or receiving stolen or wrongfully acquired property" (Int. No. 936), which was read the first time and referred to the committee on codes.

Mr. Zorn introduced a bill entitled "An act to amend the Judiciary Law, in relation to the salary of attendants, crier and interpreters of courts in Queens county" (Int. No. 937), which was read the first time and referred to the committee on the judiciary.

Also, "An act to provide for the investigation, audit and payment by the city of New York of the claim of Joseph Fiesel, junior, against said city, for plumbing work and material furnished the board of education of Long Island City during the year eighteen hundred and ninety-one" (Int. No. 938), which was read the first time and referred to the committee on affairs of cities.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to pay and allowances" (Int. No. 939), which was read the first time and referred to the committee on military affairs.

Mr. A. Parker introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to medical examination of prostitutes" (Int. No. 940), which was read the first time and referred to the committee on affairs of cities.

Mr. Talmage introduced a bill entitled "An act to authorize and provide for the sale of certain real property in the village of Patchogue and the town of Brookhaven, county of Suffolk and

State of New York in which Arington H. Carman has a life estate, under the last will and testament of George F. Carman, deceased" (Int. No. 941), which was read the first time and referred to the committee on the judiciary.

Mr. Foley introduced a bill entitled "An act to amend the Greater New York charter, in relation to the designation by the comptroller of the assistant deputy comptroller or a clerk to sign warrants drawn upon the city chamberlain" (Int. No. 942), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to notes to be issued in anticipation of the sale of corporate stock" (Int. No. 943), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to the issue of corporate stock" (Int. No. 944), which was read the first time and referred to the committee on affairs of cities.

Mr. Ahern introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to certain executions, and the priority thereof" (Int. No. 945), which was read the first time and referred to the committee on codes.

Mr. LaReau introduced a bill entitled "An act to provide for the removal of obstructions in Dearborn street in the city of Buffalo, and the opening thereof to the public, and to vacate certain proceedings of the grade crossing commissioners of said city and the International Bridge Company, relating to such obstructions, and providing compensation therefor" (Int. No. 946), which was read the first time and referred to the committee on affairs of cities.

Mr. Cheney introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to several provisions so far as they affect Cattaraugus county" (Int. No. 947), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. A. E. Smith introduced a bill entitled "An act making an appropriation for the deportation of alien and nonresident lunatics to other countries and States, and for the office expenses of

the State Commission in Lunacy" (Int. No. 948), which was read the first time and referred to the committee on ways and means.

Mr. Warren introduced a bill entitled "An act to amend section twenty-eight hundred and forty-two of the Code of Civil Procedure, in relation to filing additional account by general guardian" (Int. No. 949), which was read the first time and referred to the committee on codes.

Mr. Caughlan introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to free or reduced transportation by common carriers" (Int. No. 950), which was read the first time and referred to the committee on railroads.

Mr. Merritt introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to an action for divorce" (Int. No. 951), which was read the first time and referred to the committee on codes.

Also, "An act making an appropriation for the New York State School of Agriculture of the Saint Lawrence University for the general purposes thereof" (Int. No. 952), which was read the first time and referred to the committee on ways and means.

Mr. Chanler, by request, introduced a bill entitled "An act to create a commission to inquire into the present distribution of population throughout the State of New York, into any causes for imperfect or incomplete distribution, and any methods to secure better and fuller distribution, and making an appropriation for the expenses of said commission" (Int. No. 953), which was read the first time and referred to the committee on ways and means.

Also, by request, "An act to create a commission to inquire into the present extent, conditions and results of manufacturing in tenement-houses throughout the State of New York, and making an appropriation therefor" (Int. No. 954), which was read the first time and referred to the committee on ways and means.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Hoey (No. 643, Int. No. 611), entitled "An act reappropriating the unexpended balance of the appropriation heretofore made to the New York Interstate Bridge Commission and making an additional appropriation therefor."

Also, Assembly bill introduced by Mr. Foley (No. 671, Int. No. 636), entitled "An act to amend chapter one hundred and forty-nine of the Laws of nineteen hundred and eight, entitled 'An act to provide for the celebration of the tercentenary of the discovery of Lake Champlain, the appointment of a commission, prescribing its powers and duties and making an appropriation therefor,' as amended by chapter forty-four of the Laws of nineteen hundred and ten, relative to the powers and duties of said commission and extending the time for making its report to the Legislature and reappropriating the unexpended balance of the appropriation made by chapter four hundred and thirty-three of the Laws of nineteen hundred and nine," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill (No. 296, Int. No. 295) introduced by Mr. Manley, entitled "An act to amend the Insanity Law, relative to the retirement of employees of State hospitals for the insane," reported in favor of the passage of the same, with the following amendment:

Page 6, line 17, strike out "twenty" and insert "twenty-five".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Senate bill introduced by Mr. Thomas (No. 412, Rec. No. 47), entitled "An act to provide for the acquisition and preservation of the historic building known as the Schuyler mansion, situate in the city of Albany, and making an appropriation therefor."

Also, Senate bill introduced by Mr. Grady (No. 423, Rec. No. 39), entitled "An act to amend the Legislative Law, in relation to the compensation of the Sergeants-at-Arms," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Gerhardt (No. 55, Int. No. 55), entitled "Concurrent resolution of the Senate and

Assembly proposing an amendment to section six of article three of the Constitution, in relation to the compensation of members of the Legislature."

Also, Assembly bill introduced by Mr. A. J. Levy (No. 358, Int. No. 351), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section two of article six of the Constitution, in relation to assignment of justices of the Supreme Court to hold Special and Trial Terms."

Also, Assembly bill introduced by Mr. A. E. Smith (No. 542, Int. No. 525), entitled "An act to amend the Personal Property Law and the Lien Law, in relation to liens upon merchandise and the proceeds thereof created by agreement for the purpose of securing the repayment of loans or advances upon the security of said merchandise," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill introduced by Mr. Foley (No. 865, Int. No. 784), entitled "An act to amend the Code of Civil Procedure, in relation to verification of answers in actions for divorce."

Also, Assembly bill introduced by Mr. Boylan (No. 920, Int. No. 829), entitled "An act to amend the Penal Law, in relation to Sunday observance."

Also, Assembly bill introduced by Mr. A. J. Levy (No. 477, Int. No. 465), entitled "An act to amend the Code of Criminal Procedure, relative to the appointment of stenographers to take evidence before grand juries and at coroner's inquests and examinations and trials of criminal cases."

Also, Assembly bill introduced by Mr. Shlivek (No. 457, Int. No. 448), entitled "An act to amend the Penal Law, in relation to persons conducting business under an assumed name."

Also, Assembly bill introduced by Mr. Weil (No. 624, Int. No. 596), entitled "An act to amend section two hundred and seventy-one of the Code of Criminal Procedure to furnish the defendant in a criminal action with a transcript of the grand jury minutes in certain cases," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 804, Int. No. 734) introduced by Mr. Foley, entitled "An act to amend the Penal Law, section two hundred and eighty, in relation to corporation not to practice law," reported in favor of the passage of the same, with the following amendments:

On page 1 in line 1 of the title after the word " the " strike out the words " the Penal Law ", and in the same line after the word " eighty " insert the words " of the Penal Law ".

On page 1, beginning in line 1, strike out the following words: " added by Laws of nineteen hundred and nine, chapter four hundred and eighty-three, in effect September one " which words include also all of line 2 and part of line 3, and insert the following: " of chapter eighty-eight of the Laws of nineteen hundred and nine, entitled 'An act providing for the punishment of crime, constituting chapter forty of the Consolidated Laws,' as amended by chapter four hundred and eighty-three of the Laws of ".

On page 1, line 4, after the word " amended " strike out the words " so as ".

On page 3, line 23, strike out the following: " added by Laws of nineteen hundred and nine, chap- ".

On page 3, strike out all of line 24.

On page 3, strike out all of line 25.

On page 3, line 26, strike out the word " immediately " and insert in its place " September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Fay, from the committee on electricity, gas and water supply, to which was referred Assembly bill introduced by Mr. Lansing (No. 531, Int. No. 515), entitled "An act to protect the purity of the water supply of Rensselaer Water Company," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fay, from the committee on electricity, gas and water supply, to which was referred Assembly bill introduced by Mr. Jameson (No. 709, Int. No. 673), entitled "An act to amend chapter one hundred and twenty-five of the Laws of nineteen hundred and six, entitled 'An act in relation to illuminating gas in the city of New York, and regulating the quality and pressure thereof

and the price to consumers other than said city and providing a penalty for violation,' in relation to price to be charged in certain wards in the borough of Brooklyn," reported the same with the following amendment:

On page 2, line 5, strike out word "Westchester" and insert word "Eastchester" in place of same.

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Martin, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. Young (No. 660, Int. No. 625), entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and six, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village,' relative to village boundaries," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Terry, from the committee on claims, to which was referred Assembly bill introduced by Mr. T. K. Smith (No. 480, Int. No. 468), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John M. Shultz against the State for damages alleged to have been sustained by him and to render judgment therefor," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. McElligott (No. 317, Int. No. 316), entitled "An act to amend the Public Health Law, in relation to qualifications for the practice of veterinary medicine and surgery."

Also, the bill introduced by Mr. Brace (No. 939, Int. No. 848), entitled "An act to legalize the action of the board of trustees and of the electors of the village of Canajoharie, in relation to the issue of the bonds of such village for fifty thousand dollars to defray a portion of the expense of establishing a system of water works therein, and to legalize such bonds and the issuance thereof, and to provide for the payment of the same."

Also, the bill introduced by Mr. Cosad (No. 565, Int. No. 548), entitled "An act to authorize the board of trustees of the village of Seneca Falls to issue bonds to pay the cost of paving portions of certain streets in said village in which the tracks of the Geneva and Auburn Railway Company are located and to assess the cost thereof on such railway company," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. T. K. Smith (No. 918, Int. No. 34), entitled "An act to amend the Highway Law, relative to a renewal license of chauffeurs," reported the same with the following recommendation:

On page 1, line 4, insert the following after the word "laws": "As substituted by chapter three hundred and seventy-four of the Laws of nineteen hundred and ten".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Penal Law, in relation to kidnapping." (No. 882, Int. No. 53.)

"An act to legalize the action of the board of trustees and of the electors of the village of Canajoharie, in relation to the issue of the bonds of such village for fifty thousand dollars to defray a portion of the expense of establishing a system of water works therein, and to legalize such bonds and the issuance thereof, and to provide for the payment of the same." (No. 939, Int. No. 848.)

"An act to provide for the payment of the balance due newspapers for the publication of concurrent resolutions of the Legislature of nineteen hundred and ten, proposing amendments to the Constitution of this State, and for deficiency in appropriation for the publication of other official notices required to be published as provided by law, which are subject to contract." (No. 975, Int. No. 510.)

"An act to amend the County Law, relative to additional official duties of the district attorney of Niagara county and to provide

for his disbursements in the performance of the same." (No. 320, Int. No. 319.)

Mr. Spielberg offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on general laws be discharged from the further consideration of Assembly bill (No. 906, Int. No. 817), entitled "An act to amend the General Business Law, in relation to examinations by State Comptroller of private bankers and banking," and that said bill be referred to the committee on banks.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Brennan offered for the consideration of the House a resolution in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the bill (No. 547, Int. No. 530), entitled "An act to amend the Civil Service Law, by adding thereto several sections, in relation to the retirement with pensions of civil employees."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been anounced, Mr. Brennan moved to amend as follows:

After the word "employees" in title add the words "and making an appropriation therefor".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Brennan, said bill was ordered reprinted and recommitted to the committee on ways and means.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Day	Hammond	McDaniels	Sheide
Ahern	DeLano	Hearn	McElliott	Shepardson
Allen	Donnelly	Herrick J J	McGrath	Shlivek
Beach	Donovan	Herrick W R	McKeon	Shortt
Blauvelt	Drummond	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Farrell	Hinman	Monczynski	Sweet

Brennan	Fay	Hoff	Mork	Talmage
Bridenbecker	Filley	Hollmann	Murray	Terry
Brooks	Fitzpatrick	Hoyt	Myers	Trombly
Brown	Foley	Huber	Nolan	Turley
Bryant	Friedman	Jackson	O'Connor	Walker
Bush	Fry	Jameson	Oliver	Ward
Butler	Geatons	Jones	O'Neill J J	Waring
Carew	Gerhardt	Kennedy	O'Neil M A	Washburn
Caughlan	Gerken	Keys	Pappert	Waters F A
Chanler	Gillen	Kopp	Parker A	Weil
Cheney	Goldberg	Lansing	Patrie	Wende
Coffey	Goldstein	LaReau	Phillips J S	Wheeler
Collin	Goodman	Lent	Pierce	Wilson
Colné	Graubard	Lincoln	Saunders	Winters
Connell	Gray	Macdonald	Schifferdecker	Yeomans
Constantine	Gregg	Manley	Seeley	Young
Cosad	Gurnett	Martin	Shannon	Zorn
Cuvillier	Haines	McCue	Shea	Speaker
Dawson	Hart			

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Fiero	Harden	McClelland	Sanner	
Cullen	Gittins	Harte	O'Brien	Wagner	
Ferris	Griffin	Long	Pollock		14

FOR CHAUNCEY M. DEPEW.

Allen	Coats	Emerson	Ormrod	Thomas	
Bussey	Cobb	Heacock	Sage	Wainwright	10

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR M. J. O'BRIEN.

Loomis	Saxe	2

FOR J. J. HOPPER.

Dahamel	1

FOR WILLIAM SULZER.

White	1

When the roll was called the following pairs were announced: Mr. Brackett with Mr. Grady; Mr. Hewitt with Mr. Murtaugh; Mr. Argetsinger with Mr. Black; Mr. Coats with Mr. Cronin; Mr. Platt with Mr. Frawley; Mr. Rose with Mr. Stilwell; Mr. Walters with Mr. T. D. Sullivan; Mr. Griffith with Mr. McManus; Mr. Hamilton with Mr. C. D. Sullivan; Mr. Travis with Mr. Ramsperger.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gregg	McElligott	Schifferdecker	
Boylan	Fitzpatrick	Gurnett	McGrath	Seeley	
Brennan	Foley	Hearn	McKeon	Sheide	
Bush	Frisbie	Herrick J J	Monczynski	Smith A E	
Carew	Geatons	Heyman	Mork	Turley	
Collin	Gerhardt	Jackson	Oliver	Walker	
Cuvillier	Gerken	Jameson	O'Neill J J	Washburn	
Dawson	Goldberg	LaReau	O'Neil M A	Weil	
Donnelly	Goldstein	Manley	Parker A	Wende	
Donovan	Graubard	McCue	Patrie	Zorn	
Farrell					51

FOR CHAUNCEY M. DEPEW.

Adler	Connell	Hoff	Nolan	Talmage	
Ahern	Constantine	Jones	Pappert	Ward	
Allen	DeLano	Keys	Phillips J S	Waring	
Brooks	Filley	Kopp	Pierce	Waters F A	
Brown	Goodman	Lansing	Shannon	Wilson	
Bryant	Gray	Lent	Shea	Winters	
Butler	Haines	Lincoln	Shepardson	Yale	
Cheney	Hart	Macdonald	Shlivek	Yeomans	
Coffey	Higgins	Merritt	Stivers	Young	
Colné	Hinman	Murray			18

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN H. GLYNN.

Saunders 1

FOR M. J. O'BRIEN.

Chanler Shortt 2

FOR MARTIN W. LITTLETON.

Beach	Drummond	Hollmann	Martin	Trombly	
Brace	Evans	Hoyt	Miller	Wheeler	
Bridenbecker	Friedman	Huber	Terry		14

FOR WILLIAM SULZER.

Myers 1

FOR JOHN N. CARLISLE.

Day 1

FOR J. J. HOPPER.

O'Connor 1

FOR JOHN D. KERNAN.

Cosad 1

FOR ISAAC KAPPER.

Fry 1

FOR H. RIDDER.

Kennedy 1

When the roll was called the following pairs were announced:

Mr. Baumes with Mr. A. J. Levy; Mr. Brereton with Mr. Neupert; Mr. J. S. Parker with Mr. Caughlan; Mr. MacGregor with Mr. Egan; Mr. J. Levy with Mr. Ebbets; Mr. Cross with Mr. Gillen; Mr. Gould with Mr. R. B. Waters; Mr. Goodwin with Mr. Spielberg; Mr. Hackett with Mr. T. K. Smith; Mr. W. R. Herrick with Mr. Thorne; Mr. Hoey with Mr. Sullivan.

Whole number of votes cast..... 152
Necessary to a choice..... 77

	Senators.	Assemblymen.	Total.
For William F. Sheehan	14	51	65
For Chauncey M. Depew	9	48	57
For Alton B. Parker	0	1	1
For Martin W. Littleton	2	14	16
For Martin H. Glynn	0	1	1
For John D. Kernan	0	1	1
For M. J. O'Brien	2	2	4
For William Sulzer.....	1	1	2
For Isaac Kapper	0	1	1
For John N. Carlisle	0	1	1
For John J. Hopper	1	1	2
For H. Ridder.....	0	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office expired the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Friday, March 10th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Friday, March 10th, at 12 o'clock noon in the Assembly Chamber.

LIEUTENANT-GOVERNOR CONWAY: We have to-day and are honored by the presence of a most illustrious citizen from another country. One whose achievements in statesmanship, in literature, and in all works that makes for the betterment of humanity, and I venture to say are quite as well known and as justly admired in our own country as in his own.

I have the honor to present to you the Right Honorable James Brice, Ambassador from England.

AMBASSADOR BRICE: Mr. President, Mr. Lieutenant-Governor and Mr. Speaker; Gentlemen of the Senate and Gentlemen of the Assembly:

I am deeply sensible of the great honor which is done me by being introduced here and permitted to be a witness of your deliberations, and also by the unexpected honor of being asked to address you.

I would not whether I could have availed myself of the privilege of being present, had I known of the responsibility which was to be thrown upon me by being invited to say a few words to you. No notice was given me that any such request would be made, and, therefore, I must ask you to excuse the very few and scattered observations which occurred to my mind when this honor is suddenly thrust upon me.

It is, I assure you, Lieutenant-Governor and Mr. Speaker, a very great pleasure and source of interest to me to be present at a sitting — a joint sitting of the two Houses of the Legislature of this great State, engaged in the most important functions that falls to the lot of a legislature. The first idea that comes to my mind is to think of all the historical associations which are called up when one sees a legislature assembled here in a region which only three hundred and two years ago was a pathless untrodden wilderness when the adventurous bark of Hendrick Hudson first clove the water which now bears his name.

Since then what enormous progress has been made in the development of this country, and what a growth there has been in those institutions, the foundations of which were laid in Britain many

many centuries ago by those who were the common ancestors of this nation, and of the nation which I have the honor to represent here.

Your Legislature, gentlemen, like the other legislatures of the United States is one of a crop which has sprung up in amazing abundance in this fertile soil, all planted from the one stock which existed in England long before the days of the Norman conquest, and which at first was a shoot planted in British soil, brought centuries before from the forest of Germany. From that one shoot there have sprung up on this country forty-nine legislatures, a testimony to the fertility of your soil almost as great as that which is afforded by the prodigious production of all kinds of articles with which nature enriches man. Your soil has been as fertile in politics and in legislatures as it has been in producing of what was the wood and the prairie many centuries ago. And it is a matter of the deepest interest to an Englishman to come here and see how the old institutions of the ancient motherland have been developed with some difference of form to a coherent community of spirit from the stock which grew for centuries there. You have preserved the spirit and essence of our institutions, you have preserved the sense of liberty, the sense of free debate, the sense that the majority must prevail, the sense that order and liberty go hand in hand and that neither can be successful nor the people prosperous unless they are united.

You have been fulfilling to-day one function of the legislatures which we in the House of Commons do not possess because under our Constitution, Parliament is supreme and never has to delegate a representative to sit in another body.

That function is one which I have never seen exercised before. I have had the pleasure of being in legislatures before in many States as well as in Congress, and of seeing a great deal of your political machinery in action, but I never before saw a legislature engaged in the process of choosing a United States Senator. I understand that you have been engaged already for some time in endeavoring to fulfill that high and grave function; and I am not surprised that it should take some time when I consider the extreme importance of the function, and when I consider that you are choosing — that you are to choose one of yourselves, a citizen of this State — to sit in the Senate of your mighty republic and that as representing this largest State in the Union and beside that very able and distinguished man who is now Senator from the State of New York. It is not wonderful that much care and much time should be required in order that you may satisfy your mind as to who is fittest for that exalted function.

Now, gentlemen, let me say that I venture humbly to feel myself in many ways in sympathy with members of a legislature. I was for twenty-eight years a member of the House of Commons. I think in that time I had some opportunities of knowing what are the difficulties which beset the path of a legislator; and how many questions calling for calm judgment and insight, how many questions calling for the application of the strict standard of conscience arise in the mind of a legislator. Nobody knows who has not sat in a legislative body how difficult the work of a legislator is. He has many many things to think of; he is often called upon to give a vote upon a question which he cannot have completely studied. He has to balance between the duty which he owes to his party and the duty which he owes to his own conviction, and he has also to balance between the duty which he owes to his own convictions on a particular question and what he believes to be the wishes and views of his constituents. You all know, gentlemen, from experience how difficult that matter is, and I can assure you that it is one which does not seem to become easier the longer you sit in a legislative body. All I can say is, and I may venture perhaps, as an old legislator, to say this to the younger members of these two houses,— that although the difficulties are great I do not think they are quite as great in practice as they are in theory, because an honest man who wants to do the best that he can can only find it possible to give his honest vote even when he is distrusted by these different considerations. But it is a difficult matter and I wish that your constituents and as I often wished that my constituents all knew and realized themselves how very difficult and delicate a function it is that they entrust to a representative in an assembly.

Gentlemen, the work of a legislative assembly becomes always more difficult because the demands that arise from legislation become always more numerous. I am greatly struck in reading the debates of the legislatures of this country and in watching the proceedings of Congress by the increasing number of large questions which are forced on the attention of your legislative bodies. The people ask for much more from a legislature than they were in the habit of asking twenty, thirty and forty years ago. The problems of the people become more intricate and more difficult, the demand for new experiments in constitutions and in forms of government, become always more insistent. Out in the west, for instance, numerous experiments are being tried and I observe that some of those experiments are demanded in the eastern states also. This, I suppose, must be so with the increasing progress of society and with the more and more urgent demands of an always developing civilization. We can only hope and believe that

the resources of your nation with its extraordinary ingenuity and energy and skill, with its practical power of working politics and making compromises where compromises are necessary, will become equal to the new tasks which the progress of this country lays upon it.

And when we look back, gentlemen, how much you have in this country to be grateful for in the progress you have made. It is not really that you have civilized and developed your continent; it is that you have overcome difficulties which threaten your own unity, which the people in Europe thought were going to be fatal. After the difficulties that this country has surmounted, this country has a right to be hopeful.

And, gentlemen, another thought occurs to me, that not a hundred years ago, things were not as tranquil on this continent as they are now, and that less than a hundred years ago there was a war between the country which I represent and its dominions beyond the Great Lakes and the St. Lawrence, and this country in which I am now standing.

How happy and blessed is the change, gentlemen, which those ninety-eight years across, how happy and blessed a thing it is that now you here, and we of the British Empire, are able to meet one another as friends, whose friendship as we believe is destined to be eternal. How happy a thing it is that our friends and your friends in Canada, to the north of you are now united to you by ties of friendship and that you are able to welcome here an ambassador representing Canada to the United States and to welcome him, as I am sure you have shown to me to-day with genuine feelings of cordiality.

Gentlemen, when I think of the progress that we have made in that way and the progress which is being made all over the world, I believe in cultivating feelings of friendship and good will between different nations, I think we have great cause to be thankful to the Providence that guided us and our fathers.

Permit me to thank you again for the kindness you have shown me in receiving me here to-day and permit me to tell you with how much sympathy and interest and progress of constitutional government in this great State, the greatest in the Union, a State whose population is double that of many European kingdoms, with what interest and sympathy and hope the progress of this State is watched by my fellow citizens in Canada to the north of you and by my fellow citizens in Britain across the Atlantic and what prayers we put up that your prosperity may be as great and continuous as is the prosperity of the motherland itself.

The bill (No. 455, Int. No. 446) entitled "An act to amend the General Business Law, in relation to pawnbrokers," was read the second time.

On motion of Mr. J. J. Herrick, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 907, Int. No. 818) entitled "An act to amend the charter of the city of Cortland, in relation to the medical and dental examination of children in the public schools and in the State Normal School in said city," was read the second time.

On motion of Mr. Brown, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 893, Int. No. 803) entitled "An act to amend chapter twenty of the Laws of nineteen hundred and six, entitled 'An act creating the office of purchasing agent for the county of Onondaga, and prescribing his powers and duties,' generally," was read the second time.

On motion of Mr. Hammond, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 227, Rec. No. 20) entitled "An act to amend chapter thirty-five of the Laws of nineteen hundred and ten, entitled 'An act permitting the board of supervisors of Rensselaer county to create a commission to erect and furnish a new jail, workhouse and quarters for the sheriff of the county of Rensselaer, within the city of Troy, for the use of said county, to acquire the necessary land therefor and to provide means to defray the expenses thereof," was read the second time.

On motion of Mr. Filley, said bill was placed on the order of third reading.

On motion of Mr. Filley, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McCue	Shea
Ahern	Day	Hammond	McDaniels	Sheide
Allen	DeLano	Hearn	McElligott	Shepardson
Beach	Donnelly	Herrick J J	McGrath	Shlivek
Blauvelt	Donovan	Herrick W R	McKeon	Shortt
Boylan	Drummond	Heyman	Merritt	Smith A E
Brace	Evans	Higgins	Miller	Stivers
Brennan	Farrell	Hinman	Monczynski	Sweet
Bridenbecker	Fay	Hoff	Mork	Talmage
Brooks	Filley	Hollmann	Murray	Terry
Brown	Fitzpatrick	Hoyt	Myers	Trombly
Bryant	Foley	Huber	Nolan	Turley
Bush	Friedman	Jackson	O'Connor	Walker
Butler	Fry	Jameson	Oliver	Ward
Carew	Geatons	Jones	O'Neill J J	Waring
Caughlan	Gerhardt	Kennedy	O'Neil M A	Washburn
Chanler	Gerken	Keys	Pappert	Waters F A
Cheney	Gillen	Kopp	Parker A	Weil
Coffey	Goldberg	Lansing	Patrie	Wende
Collin	Goldstein	LaReau	Phillips J S	Wheeler
Colne	Goodman	Lent	Pierce	Wilson
Connell	Graubard	Lincoln	Saunders	Winters
Constantine	Gray	Macdonald	Schifferdecker	Yeomans
Cosad	Gregg	Manley	Seeley	Young
Cuvillier	Gurnett	Martin	Shannon	Zorn

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 390, Rec. No. 27) entitled "An act in relation to the improvement of State street in the city of Albany," was read the second time.

On motion of Mr. Hinman, said bill was placed on the order of third reading.

The bill (No. 589, Int. No. 567) entitled "An act to amend the charter of the city of Cortland, in relation to street and other public improvements, street sprinkling and sewers, in said city, and the issuance and sale of city bonds for purposes relating thereto," was read the second time.

On motion of Mr. Brown, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 908, Int. No. 819) entitled "An act to amend the charter of the city of Cortland, in relation to the collection of ashes and garbage in said city," was read the second time.

On motion of Mr. Brown, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 885, Int. No. 795) entitled "An act to amend chapter six hundred and fifty of the Laws of nineteen hundred and four, entitled 'An act to revise the charter of the city of Rome,' generally," was read the second time.

On motion of Mr. Cross, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 752, Int. No. 690) entitled "An act to amend the Greater New York charter, in relation to city marshals," was read the second time.

On motion of Mr. Donnelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 773, Int. No. 706) entitled "An act to amend the Greater New York charter, in relation to pensions to members of the police force," was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 710, Int. No. 674) entitled "An act to legalize, ratify and confirm bonds of the city of Buffalo, heretofore authorized and issued," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 711, Int. No. 675) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of placing underground the electrical wires of the police and fire departments of said city," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 698, Int. No. 662) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding a certain temporary nonnegotiable certificate of indebtedness heretofore issued to secure the purchase price of property to be used for street and park purposes in said city," was read the second time.

On motion of Mr. MacGregor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 699, Int. No. 663) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding temporary loan bonds heretofore issued to raise money for the pur-

chase of property to be used as a site for a technical high school in said city, and temporary nonnegotiable certificates of indebtedness issued to secure a part of the purchase price of said technical high school site," was read the second time.

On motion of Mr. MacGregor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 672, Int. No. 637) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of certain sewers and a sewage disposal plant therefor and to the issue of bonds therefor," was read the second time.

On motion of Mr. Sweet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 158, Int. No. 157) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to examinations and grade certificates for assistant teachers," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading.

On motion of Mr. Wende, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Allen	Donnelly	Hearn	McElligott	Shepardson
Beach	Donovan	Herrick J J	McGrath	Shlivek
Blauvelt	Drummond	Herrick W R	McKeon	Shortt
Boylan	Evans	Heyman	Merritt	Smith A E
Brace	Farrell	Higgins	Miller	Stivers
Brennan	Fay	Hinman	Monczynski	Sweet

Bridenbecker	Filley	Hoff	Mork	Talmage
Brooks	Fitzpatrick	Hollmann	Murray	Terry
Brown	Foley	Hoyt	Myers	Trombly
Bryant	Friedman	Huber	Nolan	Turley
Bush	Fry	Jackson	O'Connor	Walker
Butler	Geatons	Jameson	Oliver	Ward
Carew	Gerhardt	Jones	O'Neil J J	Waring
Caughlan	Gerken	Kennedy	O'Neil M A	Washburn
Chanler	Gillen	Keys	Pappert	Waters F A
Cheney	Goldberg	Kopp	Parker A	Weil
Coffey	Goldstein	Lansing	Patrie	Wende
Collin	Goodman	LaReau	Phillips J S	Wheeler
Colné	Graubard	Lent	Pierce	Wilson
Connell	Gray	Lincoln	Saunders	Winters
Constantine	Gregg	Macdonald	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Cuvillier	Haines	Martin	Shannon	Zorn
Dawson				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 546, Int. No. 529) entitled "An act to amend the Lackawanna city charter, in relation to definitions," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 640, Int. No. 608) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the department of police in said city," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 700, Int. No. 664) entitled "An act to authorize the city of Buffalo to issue bonds bearing interest at a rate not to exceed four and one-half per centum per annum, in cases where the issues of bonds at a limited rate of interest is now authorized by law," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 701, Int. No. 665) entitled "An act to amend chapter eighty-four of the Laws of nineteen hundred and nine, entitled 'An act authorizing the city of Buffalo to issue its bonds for the construction and equipment of new school buildings,' so as to authorize the use of the proceeds of said bonds for the pur-

chase of lands and increase the limit on the rate of interest on such bonds," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 878, Int. No. 184) entitled "An act to amend the Greater New York charter, in relation to notice to be given to the people of the State of New York and to the city of New York on the foreclosure of tax liens," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McCue	Shea
Ahern	DeLano	Hearn	McDaniels	Sheide
Allen	Donnelly	Herrick J J	McElligott	Shepardson
Beach	Donovan	Herrick W R	McGrath	Shlivek
Blauvelt	Drummond	Heyman	McKeon	Shortt
Boylan	Evans	Higgins	Merritt	Smith A E
Brace	Farrell	Hinman	Miller	Stivers
Brennan	Fay	Hoff	Monczynski	Sweet
Bridenbecker	Filley	Hollmann	Mork	Talmage
Brooks	Fitzpatrick	Hoyt	Murray	Terry
Brown	Foley	Huber	Myers	Trombly
Bryant	Friedman	Jackson	Nolan	Turley
Bush	Fry	Jameson	O'Connor	Walker
Butler	Geatons	Jones	Oliver	Ward
Carew	Gerhardt	Kennedy	O'Neill J J	Waring
Caughlan	Gerken	Keys	O'Neil M A	Washburn
Chanler	Gillen	Kopp	Pappert	Waters F A
Cheney	Goldberg	Lansing	Parker A	Weil
Coffey	Goldstein	LaReau	Patrie	Wende
Collin	Goodman	Lent	Phillips J S	Wheeler
Colné	Graubard	Lincoln	Pierce	Wilson
Connell	Gray	Macdonald	Saunders	Winters
Constantine	Gregg	MacGregor	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Cuvillier	Haines	Martin	Shannon	Zorn
Dawson	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 880, Int. No. 629) entitled "An act to amend chapter five hundred and nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to provide for the establishment of a botanic garden and arboretum on the park lands in the city of Brooklyn and for the care of the same,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McCue	Shea
Ahern	DeLano	Hearn	McDaniels	Sheide
Allen	Donnelly	Herrick J J	McElligott	Shepardson
Beach	Donovan	Herrick W R	McGrath	Shlivek
Blauvelt	Drummond	Heyman	McKeon	Shortt
Boylan	Evans	Higgins	Merritt	Smith A E
Brace	Farrell	Hinman	Miller	Stivers
Brennan	Fay	Hoff	Monczynski	Sweet
Bridenbecker	Filley	Hollmann	Mork	Talmage
Brooks	Fitzpatrick	Hoyt	Murray	Thorn
Brown	Foley	Huber	Myers	Trombly
Bryant	Friedman	Jackson	Nolan	Turley
Bush	Fry	Jameson	O'Connor	Walker
Butler	Geatons	Jones	Oliver	Ward
Carew	Gerhardt	Kennedy	O'Neill J J	Waring
Caughlan	Gerken	Keys	O'Neil M A	Washburn
Chanler	Gillen	Kopp	Pappert	Waters F A
Cheney	Goldberg	Lansing	Parker A	Weil
Coffey	Goldstein	LaReau	Patrie	Wende
Collin	Goodman	Lent	Phillips J S	Wheeler
Colné	Graubard	Lincoln	Pierce	Wilson
Connell	Gray	Macdonald	Saunders	Winters
Constantine	Gregg	MacGregor	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Cuvillier	Haines	Martin	Shannon	Zorn
Dawson	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 877, Int. No. 277) entitled "An act to amend the Agricultural Law, in relation to cider vinegar," was read the third time, having been printed and upon the desks of the mem-

bers in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McDaniels	Shepardson
Ahern	DeLano	Hearn	McElligott	Shlivek
Allen	Donnelly	Herrick J J	McGrath	Shortt
Beach	Donovan	Herrick W R	McKeon	Smith A E
Blauvelt	Drummond	Heyman	Merritt	Smith T K
Boylan	Evans	Higgins	Miller	Spielberg
Brace	Farrell	Hinman	Monczynski	Stivers
Brennan	Fay	Hoff	Mork	Sweet
Bridenbecker	Filley	Hollmann	Murray	Talmage
Broo'ks	Fitzpatrick	Hoyt	Myers	Terry
Brown	Foley	Huber	Nolan	Trombly
Bryant	Friedman	Jackson	O'Connor	Turley
Bush	Fry	Jameson	Oliver	Walker
Butler	Geatons	Jones	O'Neill J J	Ward
Carew	Gerhardt	Kennedy	O'Neil M A	Waring
Caughlan	Gerken	Keys	Pappert	Washburn
Chanler	Gillen	Kopp	Parker A	Waters F A
Cheney	Goldberg	Lansing	Patrie	Weil
Coffey	Goldstein	LaReau	Pierce	Wende
Collin	Goodman	Lent	Saunders	Wheeler
Colné	Graubard	Lincoln	Schifferdecker	Wilson
Connell	Gray	Macdonald	Seeley	Winters
Constantine	Gregg	Manley	Shannon	Yeomans
Cosad	Gurnett	Martin	Shea	Young
Cuvillier	Haines	McCue	Sheide	Zorn
Dawson	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 105, Int. No. 105) entitled "An act to amend the Highway Law, in relation to the courses and descriptions of route six of the State highway system," having been announced for a third reading,

On motion of Mr. Cosad, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 682, Int. No. 646) entitled "An act to amend the Military Law, in relation to allowances and devises and be-

quests to cavalry organizations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Allen	Donnelly	Hearn	McElligott	Shepardson
Beach	Donovan	Herrick J J	McGrath	Shlivek
Blauvelt	Drummond	Herrick W R	McKeon	Shortt
Boylan	Evans	Heyman	Merritt	Smith A E
Brace	Farrell	Higgins	Miller	Stivers
Brennan	Fay	Hinman	Monczynski	Sweet
Bridenbecker	Filley	Hoff	Mork	Talmage
Brooks	Fitzpatrick	Hollmann	Murray	Terry
Brown	Foley	Hoyt	Myers	Trombly
Bryant	Friedman	Huber	Nolan	Turley
Bush	Fry	Jackson	O'Connor	Walker
Butler	Geatons	Jameson	Oliver	Ward
Carew	Gerhardt	Jones	O'Neill J J	Waring
Caughlan	Gerken	Kennedy	O'Neil M A	Washburn
Chanler	Gillen	Keys	Pappert	Waters F A
Cheney	Goldberg	Kopp	Parker A	Weil
Coffey	Goldstein	Lansing	Patrie	Wende
Collin	Goodman	LaReau	Phillips J S	Wheeler
Colne	Graubard	Lent	Pierce	Wilson
Connell	Gray	Lincoln	Saunders	Winters
Constantine	Gregg	Macdonald	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Cuvillier	Haines	Martin	Shannon	Zorn
Dawson				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 468, Int. No. 459) entitled "An act to amend the General Business Law, in relation to the certification of public accountants," having been announced for a third reading,

On motion of Mr. Egan, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 108, Int. No. 108) entitled "An act to authorize the Adjutant-General to reopen, try and determine the claim made by John A. Morrissey, private, Seventy-fourth Regiment, Infantry

National Guard, for expenses for an operation resulting from injuries received during service," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McDaniels	Sheide
Ahern	DeLano	Hearn	McElligott	Shepardson
Allen	Donnelly	Herrick J J	McGrath	Shlivek
Beach	Donovan	Herrick W R	McKeon	Shortt
Blauvelt	Drummond	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Farrell	Hinman	Monczynski	Sweet
Brennan	Fay	Hoff	Mork	Talmage
Bridenbecker	Filley	Hollmann	Murray	Terry
Brooks	Fitzpatrick	Hoyt	Myers	Trombly
Brown	Foley	Huber	Nolan	Turley
Bryant	Friedman	Jackson	O'Connor	Walker
Bush	Fry	Jameson	Oliver	Ward
Butler	Geatons	Jones	O'Neill J J	Waring
Carew	Gerhardt	Kennedy	O'Neil M A	Washburn
Caughlan	Gerken	Keys	Pappert	Waters F A
Chanler	Gillen	Kopp	Parker A	Waters R B
Cheney	Goldberg	Lansing	Patrie	Weil
Coffey	Goldstein	LaReau	Phillips J S	Wende
Collin	Goodman	Lent	Pierce	Wheeler
Colné	Graubard	Lincoln	Saunders	Wilson
Connell	Gray	Macdonald	Schifferdecker	Winters
Constantine	Gregg	MacGregor	Seeley	Yeomans
Cosad	Gurnett	Manley	Shannon	Young
Cuvillier	Haines	Martin	Shea	Zorn
Dawson	Hart	McCue		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 884, Int. No. 60) entitled "An act to amend the Code of Civil Procedure, relating to the examination by the surrogate of the county wherein the witnesses reside of the subscribing witnesses to a will offered for probate in another county," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124
NOES 6

Those who voted in the affirmative were:

Ahern	Dawson	Gurnett	Manley	Shannon
Allen	Day	Haines	Martin	Shea
Beach	DeLano	Hart	McCue	Sheide
Blauvelt	Donnelly	Hammond	McDaniels	Shepardson
Boylan	Donovan	Hearn	McElligott	Shlivek
Brace	Drummond	Herrick J J	McGrath	Shortt
Brennan	Evans	Herrick W R	McKeon	Smith A E
Bridenbecker	Farrell	Heyman	Miller	Stivers
Brooks	Fay	Higgins	Monczynski	Sweet
Brown	Filley	Hoff	Mork	Talmage
Bryant	Fitzpatrick	Hollmann	Murray	Terry
Bush	Foley	Hoyt	Myers	Trombly
Butler	Friedman	Huber	Nolan	Turley
Carew	Fry	Jackson	O'Connor	Walker
Caughlan	Geatons	Jameson	Oliver	Waring
Chanler	Gerhardt	Jones	O'Neill J J	Washburn
Cheney	Gerken	Kennedy	O'Neil M A	Waters F A
Coffey	Gillen	Keys	Pappert	Weil
Collin	Goldberg	Kopp	Parker A	Wende
Colné	Goldstein	Lansing	Patrie	Wheeler
Connell	Goodman	LaReau	Pierce	Wilson
Constantine	Graubard	Lent	Saunders	Winters
Cosad	Gray	Lincoln	Schifferdecker	Yeomans
Cuvillier	Gregg	Macdonald	Seeley	Zorn

Those who voted in the negative were:

Adler	Merritt	Phillips J S	Ward	Young
Hinman				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 532, Int. No. 516) entitled "An act to amend the General Municipal Law, in relation to examiners of accounts of municipalities," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 881, Int. No. 46) entitled "An act to amend the Code of Civil Procedure, relative to cases in which the service of summons by publication, et cetera, may be ordered," was read the third time, having been printed and upon the desks of the

members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McDaniels	Sheide
Ahern	DeLano	Hearn	McElligott	Shepardson
Allen	Donnelly	Herrick J J	McGrath	Shlivek
Beach	Donovan	Herrick W R	McKeon	Shortt
Blauvelt	Drummond	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Farrell	Hinman	Monczynski	Sullivan
Brennan	Fay	Hoff	Mork	Sweet
Bridenbecker	Filley	Hollmann	Murray	Talmage
Brooks	Fitzpatrick	Hoyt	Myers	Terry
Brown	Foley	Huber	Nolan	Trombly
Bryant	Friedman	Jackson	O'Connor	Turley
Bush	Fry	Jameson	Oliver	Walker
Butler	Geatons	Jones	O'Neill J J	Ward
Carew	Gerhardt	Kennedy	O'Neil M A	Waring
Caughlan	Gerken	Keys	Pappert	Washburn
Chanler	Gillen	Kopp	Parker A	Waters F A
Cheney	Goldberg	Lansing	Patrie	Weil
Coffey	Goldstein	LaReau	Phillips J S	Wende
Collin	Goodman	Lent	Pierce	Wheeler
Colné	Graubard	Lincoln	Saunders	Wilson
Connell	Gray	Macdonald	Schifferdecker	Winters
Constantine	Gregg	MacGregor	Seeley	Yeomans
Cosad	Gurnett	Manley	Shannon	Young
Cuvillier	Haines	Martin	Shea	Zorn
Dawson	Hart	McCue		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 585, Int. No. 563) entitled "An act to amend chapter two hundred and sixty-eight of the Laws of eighteen hundred and ninety-one, entitled 'An act in relation to the office of sheriff in the county of Columbia,' in relation to the salary and disbursements of the sheriff," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McCue	Shea
Ahern	DeLano	Hearn	McDaniels	Sheide
Allen	Donnelly	Herrick J J	McElligott	Shepardson
Beach	Donovan	Herrick W R	McGrath	Shlivek
Blauvelt	Drummond	Heyman	McKeon	Shortt
Boylan	Evans	Higgins	Merritt	Smith A E
Brace	Farrell	Hinman	Miller	Stivers
Brennan	Fay	Hoff	Monczynski	Sweet
Bridenbecker	Filley	Hollmann	Mork	Talmage
Brooks	Fitzpatrick	Hoyt	Murray	Terry
Brown	Foley	Huber	Myers	Trombly
Bryant	Friedman	Jackson	Nolan	Turley
Bush	Fry	Jameson	O'Connor	Walker
Butler	Geatons	Jones	Oliver	Ward
Carew	Gerhardt	Kennedy	O'Neill J J	Waring
Caughlan	Gerken	Keys	O'Neil M A	Washburn
Chanler	Gillen	Kopp	Pappert	Waters F A
Cheney	Goldberg	Lansing	Parker A	Weil
Coffey	Goldstein	LaReau	Patrie	Wende
Collin	Goodman	Lent	Phillips J S	Wheeler
Colné	Graubard	Lincoln	Pierce	Wilson
Connell	Gray	Macdonald	Saunders	Winters
Constantine	Gregg	MacGregor	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Cuvillier	Haines	Martin	Shannon	Zorn
Dawson	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 815, Int. No. 457) entitled "An act to amend the County Law, in relation to the compensation of supervisors and assessors in attending meetings of the State Board of Tax Commissioners," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McCue	Shea
Ahern	DeLano	Hearn	McDaniels	Sheide
Allen	Donnelly	Herrick J J	McElligott	Shepardson
Beach	Donovan	Herrick W R	McGrath	Shlivek
Blauvelt	Drummond	Heyman	McKeon	Shortt
Boylan	Evans	Higgins	Merritt	Smith A E
Brace	Farrell	Hinman	Miller	Stivers
Brennan	Fay	Hoff	Monczynski	Sweet
Bridenbecker	Filley	Hollmann	Mork	Talmage
Brooks	Fitzpatrick	Hoyt	Murray	Terry
Brown	Foley	Huber	Myers	Trombly
Bryant	Friedman	Jackson	Nolan	Turley
Bush	Fry	Jameson	O'Connor	Walker
Butler	Geatons	Jones	Oliver	Ward
Carew	Gerhardt	Kennedy	O'Neill J J	Waring
Caughlan	Gerken	Keys	O'Neil M A	Washburn
Chanler	Gillen	Kopp	Pappert	Waters F A
Cheney	Goldberg	Lansing	Parker A	Weil
Coffey	Goldstein	LaReau	Patrie	Wende
Collin	Goodman	Lent	Phillips J S	Wheeler
Colne	Graubard	Lincoln	Pierce	Wilson
Connell	Gray	Macdonald	Saunders	Winters
Constantine	Gregg	MacGregor	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Cuvillier	Haines	Martin	Shannon	Zorn
Dawson	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 267, Int. No. 265), entitled "An act to reappropriate certain unexpended balances for the State Commission in Lunacy," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the bill (No. 24, Int. No. 24), entitled "An act to legalize, ratify and confirm the proceedings of the town of North Elba in the adoption of the proposition to authorize the securing of site and erecting a town building in the west end of the town and to raise and appropriate the sum of eight thousand dollars for such purposes and to issue bonds therefor, and to legalize the bonds of such town sold and awarded in pursuance thereof to the amount of eight thousand dollars and to provide for the payment of the same."

Also, the bill (No. 120, Int. No. 119), entitled "An act to incorporate the American-Scandinavian Foundation."

Also, the bill (No. 138, Int. No. 137), entitled "An act to legalize, ratify and confirm the proceedings for the appointment of commissioners for the drainage of certain swamp lands known as the 'Nanuet Meadows' situated in the town of Clarkstown, county of Rockland, and to legalize, ratify and confirm certain acts and proceedings of such commissioners."

Also, the bill (No. 251, Int. No. 250), entitled "An act to incorporate the American Jewish Committee."

Also, the bill (No. 300, Int. No. 299), entitled "An act to legalize and validate certain bonds, for the construction and repair of bridges, of the town of Ellisburg in the county of Jefferson, in the proceedings heretofore taken for the issuance and sale thereof by the town board and legal voters of said town and the board of supervisors of Jefferson county, and for the levy of a tax for the payment of the principal and interest thereof."

Also, the bill (No. 430, Int. No. 425), entitled "An act to amend the Judiciary Law, in relation to jurors in New York county."

Also, the bill (No. 442, Int. No. 433), entitled "An act to amend chapter forty-two of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of Cortland county a salaried office and to regulate the management of said office,' in relation to certain expenses of the sheriff," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March* 9, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill (No. 267, Int. No. 265), entitled "An act to reappropriate certain unexpended balances for the State Commission in Lunacy."

JOHN A. DIX.

On motion of Mr. A. E. Smith, the House adjourned until Friday, March 10th, at 12 o'clock noon.

FRIDAY, MARCH 10, 1911.

The House met pursuant to adjournment.

Mr. Oliver in the chair.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. Gerhardt, the reading of the journal of yesterday was dispensed with and the same was approved.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March* 9, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 7), entitled "An act to legalize, ratify and confirm the proceedings of the qualified voters and the town board of the town of Eastchester, in the county of Westchester, the officers and agents thereof, and the proceedings of the board of supervisors of said county, in the matter of the sale and award of the bonds of said town in the amount of five thousand three hundred dollars, and to provide for the payment of the interest and principal thereof."

I have furnished a statement showing in what respects this proposed issue of bonds was illegal and invalid, as follows:

1. There is no provision in the general laws relating to the construction of sidewalks in towns which empowers the town board to submit a proposition to the electors of the town to authorize the issuance of town bonds for such purpose.

2. The electors of the town, under section 43 of the Town Law, are empowered to determine only certain questions specifically stated therein, or any other questions lawfully submitted to them.

3. The proceedings taken by the town of Eastchester for the issuance of bonds for the purpose of building sidewalks are in violation of section 62 of the Highway Law.

4. The proceedings taken by the town are also in violation of article 11-a of the Town Law, as added by chapter 183 of the Laws of 1910, in relation to expenditures for sidewalks.

5. The board of supervisors of a county have power only under section 12 of the County Law, to authorize a town to borrow money for town uses and purposes on its credit, and issue its obligations therefor, when and in the manner authorized by law.

The proceedings heretofore taken by the town of Eastchester

for the issue of bonds are so absolutely contrary to the provisions of the general law as to render the entire proceedings invalid, and it is not a proper case, in my judgment, for validating, by legislative act, bonds defectively issued.

The bill is disapproved.

JOHN A. DIX.

On motion of Mr. Merritt, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *March* 9, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 76), entitled "An act relating to the repaving of West Lincoln avenue and West First street, as widened, from Eleventh avenue to the New York city line, in the city of Mount Vernon."

This bill authorized the common council of the city of Mount Vernon to issue and sell the bonds of the city in an amount not exceeding the sum of $40,000, for the purpose of paying the cost of repaving certain named streets.

The bill provides that the bonds shall be "in such form as the common council shall prescribe, and shall contain a recital that they are issued in conformity with the provisions of this act, which recital shall be conclusive of their validity, and of the regularity of their issue. * * * "

The laws of this State prescribe forms for the authorization and issuance of bonds of the subdivisions thereof with great particularity. These provisions are designed for the protection alike of the taxpayers, for whose benefit the bonds are issued, and for the investing public. The above provision proposes to sweep away all of the safeguards which have resulted from accumulated experience, and to allow the officials of the common council to condone any and all irregularities and deviations from the statutes. Moreover, it is a delegation of the power of the State to validate bonds, insomuch as it permits a municipal subdivision to exercise the power of the validation by a mere recital in the bonds. For these reasons the bill is returned without my approval.

JOHN A. DIX.

On motion of Mr. Merritt, said message together with said bill was ordered laid upon the table.

Mr. Boylan introduced a bill entitled "An act to amend the Election Law, generally" (Int. No. 955), which was read the first time and referred to the committee on the judiciary.

Mr. Evans introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to open season for deer" (Int. No. 956), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Fry introduced a bill entitled "An act to amend chapter two hundred and ninety-eight of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to the distribution of advertising matter in the city of New York,' in relation to such city as now constituted" (Int. No. 957), which was read the first time and referred to the committee on affairs of cities.

Mr. Gray introduced a bill entitled "An act to amend the Penal Law, in relation to advertisements and publications facilitating poolselling, bookmaking and gambling" (Int. No. 958), which was read the first time and referred to the committee on codes.

Mr. W. R. Herrick, by request, introduced a bill entitled "An act to amend the Penal Law, in relation to heating public conveyances and buildings" (Int. No. 959), which was read the first time and referred to the committee on codes.

Mr. McCue introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to salaries of special agents" (Int. No. 960), which was read the first time and referred to the committee on excise.

Mr. Merritt introduced a bill entitled "An act to amend the Highway Law, in relation to the description of route thirty-two to be constructed or improved by the State" (Int. No. 961), which was read the first time and referred to the committee on internal affairs.

Mr. Mork introduced a bill entitled "An act to amend the Personal Property Law, in relation to the commissions of a trustee appointed by the Supreme Court on the death of the surviving or sole trustee of an express trust" (Int. No. 962), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Real Property Law, in relation to the commissions of a trustee appointed by the Supreme Court on the death of the surviving or sole trustee of an express trust" (Int.

No. 963), which was read the first time and referred to the committee on general laws.

Mr. Seeley, by request, introduced a bill entitled "An act in relation to the admission of Frank Hunt to practice as an attorney and counsellor-at-law" (Int. No. 964), which was read the first time and referred to the committee on the judiciary.

Mr. Shlivek introduced a bill entitled "An act to amend the Insanity Law, in relation to inspection of lists of inmates of asylums and hospitals for the insane and visiting such inmates" (Int. No. 965), which was read the first time and referred to the committee on general laws.

Mr. Fitzpatrick introduced a bill entitled "An act to amend the Legislative Law, in relation to the compensation of the postmasters" (Int. No. 967), which was read the first time and referred to the committee on ways and means.

Mr. Shortt introduced a bill entitled "An act to amend generally chapter twenty-two of the Laws of nineteen hundred and nine, entitled 'An act in relation to the elections, constituting chapter seventeen of the Consolidated Laws,' and known as the Election Law" (Int. No. 966), which was read the first time and referred to the committee on the judiciary.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Brown (No. 589, Int. No. 567), entitled "An act to amend the charter of the city of Cortland, in relation to street and other public improvements, street sprinkling and sewers, in said city, and the issuance and sale of city bonds for purposes relating thereto."

Also, the bill introduced by Mr. MacGregor (No. 698, Int. No. 662), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding a certain temporary nonnegotiable certificate of indebtedness heretofore issued to secure the purchase price of property to be used for street and park purposes in said city."

Also, the bill introduced by Mr. Jackson (No. 711, Int. No. 675), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of placing underground the electrical wires of the police and fire departments of said city."

Also, the bill introduced by Mr. Brown (No. 908, Int. No.

819), entitled "An act to amend the charter of the city of Cortland, in relation to the collection of ashes and garbage in said city."

Also, the bill introduced by Mr. Wende (No. 701, Int. No. 665), entitled "An act to amend chapter eighty-four of the Laws of nineteen hundred and nine, entitled 'An act authorizing the city of Buffalo to issue its bonds for the construction and equipment of new school buildings,' so as to authorize the use of the proceeds of said bonds for the purchase of lands and increase the limit on the rate of interest on such bonds."

Also, the bill introduced by Mr. MacGregor (No. 699, Int. No. 663), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding temporary loan bonds heretofore issued to raise money for the purchase of property to be used as a site for a technical high school in said city, and temporary nonnegotiable certificates of indebtedness issued to secure a part of the purchase price of said technical high school site."

Also, the bill introduced by Mr. Cross (No. 885, Int. No. 795), entitled "An act to amend chapter six hundred and fifty of the Laws of nineteen hundred and four, entitled 'An act to revise the charter of the city of Rome,' generally."

Also, the bill introduced by Mr. Jackson (No. 710, Int. No. 674), entitled "An act to legalize, ratify and confirm bonds of the city of Buffalo, heretofore authorized and issued."

Also, the bill introduced by Mr. Sweet (No. 672, Int. No. 637), entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of certain sewers and a sewage disposal plant therefor and to the issue of bonds therefor."

Also, the bill introduced by Mr. Wende (No. 546, Int. No. 529), entitled "An act to amend the Lackawanna city charter, in relation to definitions."

Also, the bill introduced by Mr. Wende (No. 640, Int. No. 608), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the department of police in said city."

Also, the bill introduced by Mr. Wende (No. 700, Int. No. 664), entitled "An act to authorize the city of Buffalo to issue bonds bearing interest at a rate not to exceed four and one-half per centum per annum in cases where the issues of bonds at a limited rate of interest is now authorized by law."

Also, the bill introduced by Mr. J. J. Herrick (No. 455, Int. No. 446), entitled "An act to amend the General Business Law, in relation to pawnbrokers."

Also, the bill introduced by Mr. Hammond (No. 893, Int. No. 803), entitled "An act to amend chapter twenty of the Laws of nineteen hundred and six, entitled 'An act creating the office of purchasing agent for the county of Onondaga, and prescribing his powers and duties,' generally."

Also, the bill introduced by Mr. Brown (No. 907, Int. No. 818), entitled "An act to amend the charter of the city of Cortland, in relation to the medical and dental examination of children in the public schools and in the State Normal School in said city," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Foley (No. 773, Int. No. 706), entitled "An act to amend the Greater New York charter, in relation to pensions to members of the police force," reported the same with the following recommendation:

Page 2, line 21, omit " s " in word " members ", and add word " so " thereafter.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Donnelly (No. 752, Int. No. 690), entitled "An act to amend the Greater New York charter, in relation to city marshals," reported the same with the following recommendations:

Page 3, line 2, change word " treasurer " to " treasury ".

Page 3, line 5, omit comma after word " city ", and insert semicolon instead.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Public Health Law, in relation to qualifications for the practice of veterinary medicine and surgery," (No. 317, Int. No. 316.)

"An act to amend the Highway Law, relative to a renewal license of chauffeurs." (No. 1018, Int. No. 34.)

"An act to authorize the board of trustees of the village of Seneca Falls to issue bonds to pay the cost of paving portions of certain streets in said village in which the tracks of the Geneva and Auburn Railway Company are located and to assess the cost thereof on such railway company." (No. 565, Int. No. 548.)

The bill (No. 974, Int. No. 403) entitled "An act to amend the Public Service Commissions Law, in relation to the issuance of free passes, or franks, by telephone or telegraph companies," was read the second time.

On motion of Mr. Patrie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 457, Int. No. 448) entitled "An act to amend the Penal Law, in relation to persons conducting business under an assumed name," was read the second time.

On motion of Mr. Shlivek, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 920, Int. No. 829) entitled "An act to amend the Penal Law, in relation to Sunday observance," was read the second time.

On motion of Mr. Boylan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 865, Int. No. 784) entitled "An act to amend the Code of Civil Procedure, in relation to verification of answers in actions for divorce," having been announced for a second reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 671, Int. No. 636) entitled "An act to amend chapter one hundred and forty-nine of the Laws of nineteen hundred and eight, entitled 'An act to provide for the celebration of

the tercentenary of the discovery of Lake Champlain, the appointment of a commission, prescribing its powers and duties and making an appropriation therefor,' as amended by chapter forty-four of the Laws of nineteen hundred and ten, relative to the powers and duties of said commission and extending the time for making its report to the Legislature and reappropriating the unexpended balance of the appropriation made by chapter four hundred and thirty-three of the Laws of nineteen hundred and nine," was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 423, Rec. No. 39) entitled "An act to amend the Legislative Law, in relation to the compensation of the Sergeants-at-Arms," was read the second time.

On motion of Mr. Gerhardt, said bill was placed on the order of third reading.

The bill (No. 55, Int. No. 55) entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section six of article three of the Constitution, in relation to the compensation of members of the Legislature," was read the second time.

On motion of Mr. Gerhardt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 643, Int. No. 611) entitled "An act reappropriating the unexpended balance of the appropriation heretofore made to the New York Interstate Bridge Commission and making an additional appropriation therefor," was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 358, Int. No. 351) entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section two of article six of the Constitution, in relation to assignment of justices of the Supreme Court to hold Special and Trial Terms," was read the second time.

On motion of Mr. A. J. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 477, Int. No. 465) entitled "An act to amend

the Code of Criminal Procedure, relative to the appointment of stenographers to take evidence before grand juries and at coroners' inquests and examinations and trials of criminal cases," was read the second time.

On motion of Mr. A. J. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 531, Int. No. 515) entitled "An act to protect the purity of the water supply of Rensselaer Water Company," was read the second time.

On motion of Mr. Lansing, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 542, Int. No. 525) entitled "An act to amend the Personal Property Law and the Lien Law, in relation to liens upon merchandise and the proceeds thereof created by agreement for the purpose of securing the repayment of loans or advances upon the security of said merchandise," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 480, Int. No. 468) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John M. Shultz against the State for damages alleged to have been sustained by him and to render judgment therefor," was read the second time.

On motion of Mr. T. K. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 412, Rec. No. 47) entitled "An act to provide for the acquisition and preservation of the historic building known as the Schuyler Mansion, situate in the city of Albany, and making an appropriation therefor," was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading.

The bill (No. 624, Int. No. 596) entitled "An act to amend section two hundred and seventy-one of the Code of Criminal Procedure to furnish the defendant in a criminal action with a transcript of the grand jury minutes in certain cases," having been announced for a second reading,

On motion of Mr. Merritt, and by unanimous consent, said bill

was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 660, Int. No. 625) entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and six, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village,' relative to village boundaries," was read the second time.

On motion of Mr. Young, said bill was placed on the order of third reading and referred to the committee on revision.

On motion of Mr. Gerhardt, the consideration of the bills on order of third reading was postponed until Monday, March 13th.

A communication was received from Hon. Samuel A. Carlsen, mayor of the city of Jamestown, returning Assembly bill (No. 113, Int. No. 112), entitled "An act to validate certain bonds of the city of Jamestown," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

At 11:40 o'clock A. M. the House took a recess until 12 o'clock noon.

TWELVE O'CLOCK NOON.

The House again convened.

The hour of twelve o'clock having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The presiding officer of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Fiero 1

FOR MARTIN W. LITTLETON.

Roosevelt 1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Allen with Mr. Ferris; Mr. Argetsinger with Mr. Sanner; Mr. Bussey with Mr. Harden; Mr. Hewitt with Mr. Murtaugh; Mr. Heacock with Mr. McManus; Mr. Coats with Mr. Bayne; Mr. Cobb with Mr. Frawley; Mr. Emerson with Mr. Black; Mr. Griffiths with Mr. Burd; Mr. Hamilton with Mr. Cronin; Mr. Hinman with Mr. Cullen; Mr. Ormrod with Mr. C. D. Sullivan; Mr. Platt with Mr. Stilwell; Mr. Thomas with Mr. Gittins; Mr. Rose with Mr. McClelland; Mr. Travis with Mr. Harte; Mr. Wainwright with Mr. Ramsperger; Mr. Walters with Mr. Wagner; Mr. Newcomb with Mr. T. D. Sullivan.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Manley	Oliver				2

FOR CHAUNCEY M. DEPEW.

Adler	Lansing	Merritt	Shea		4

FOR MARTIN W. LITTLETON.

Beach	Drummond	Hollmann	Terry	Wheeler	
Bridenbecker	Evans	Martin			8

FOR MARTIN H. GLYNN.

Saunders	1

FOR M. J. O'BRIEN.

Shortt	1

FOR WILLIAM SULZER.

Myers	1

FOR JOHN N. CARLISLE.

Day	1

FOR J. J. HOPPER.

O'Connor	1

When the roll was called the following pairs were announced:

Mr. Bryant with Mr. Weil; Mr. Brereton with Mr. Monczynski; Mr. Sheide with Mr. Talmage; Mr. Sweet with Mr. Hearn; Mr. Boylan with Mr. Higgins; Mr. C. W. Phillips with Mr. J. Levy; Mr. Hammond with Mr. Brennan; Mr. Cheney

with Mr. Graubard; Mr. J. S. Phillips with Mr. W. R. Herrick; Mr. Seeley with Mr. Shannon; Mr. DeLano with Mr. Jackson; Mr. Egan with Mr. Ward; Mr. Waring with Mr. Washburn; Mr. Pappert with Mr. Fitzpatrick; Mr. Adler with Mr. Blauvelt; Mr. Goodman with Mr. Mork; Mr. Shepardson with Mr. Patrie; Mr. Shlivek with Mr. Goldberg; Mr. Macdonald with Mr. Gerhardt; Mr. Wilson with Mr. Collin; Mr. Constantine with Mr. Donovan; Mr. Young with Mr. Warren; Mr. Baumes with Mr. Spielberg; Mr. Nolan with Mr. J. J. Herrick; Mr. Jones with Mr. Gregg; Mr. Gray with Mr. Bush; Mr. Haines with Mr. McGrath; Mr. Brown with Mr. Walker; Mr. Lincoln with Mr. Dawson; Mr. Hinman with Mr. McElligott; Mr. F. A. Waters with Mr. LaReau; Mr. MacGregor with Mr. McCue; Mr. Brooks with Mr. A. Parker; Mr. Butler with Mr. Zorn; Mr. Murray with Mr. Foley; Mr. Schifferdecker with Mr. Keys; Mr. Winters with Mr. Carew; Mr. Geatons with Mr. Pierce; Mr. Lent with Mr. Heyman; Mr. Fay with Mr. Stivers; Mr. Donnelly with Mr. Ebbets; Mr. M. A. O'Neil with Mr. Hoff; Mr. Hart with Mr. Goldstein; Mr. McKeon with Mr. Yeomans; Mr. Farrell with Mr. Connell; Mr. Gillen with Mr. Cross; Mr. Gerken with Mr. Colne; Mr. J. J. O'Neill with Mr. Coffey; Mr. Jameson with Mr. Ahern.

Whole number of votes cast..... 21

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	1	2	3
For Chauncey M. Depew.....	0	4	4
For Martin W. Littleton.....	1	8	9
For Martin H. Glynn.....	0	1	1
For M. J. O'Brien.....	0	1	1
For William Sulzer.....	0	1	1
For John N. Carlisle.....	0	1	1
For John J. Hopper.....	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Stilwell, the joint assembly took a recess until Saturday, March 11th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Saturday, March 11th, at 12 o'clock noon in the Assembly Chamber.

On motion of Mr. Gerhardt, the House adjourned until Saturday, March 11th, at 11:30 o'clock A. M.

SATURDAY, MARCH 11, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Manley, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter five hundred and seventeen of the Laws of eighteen hundred and ninety-nine, entitled 'An act to authorize the paving or macadamizing of streets, avenues, highways and public places in the village of Port Chester, Westchester county, and to provide for the payment of the expense of the same,' in relation to the rate of interest of certificates of indebtedness or assessment bonds therein authorized to be issued under section six of such act" (No. 128, Rec. No. 57), which was read the first time and referred to the committee on affairs of villages.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Foley (No. 671, Int. No. 636), entitled "An act to amend chapter one hundred and forty-nine of the Laws of nineteen hundred and eight, entitled 'An act to provide for the celebration of the tercentenary of the discovery of Lake Champlain, the appointment of a commission, prescribing its powers and duties and making an appropriation therefor,' as amended by chapter forty-four of the Laws of nineteen hundred and ten, relative to the powers and duties of said commission and

extending the time for making its report to the Legislature and reappropriating the unexpected balance of the appropriation made by chapter four hundred and thirty-three of the Laws of nineteen hundred and nine."

Also, the bill introduced by Mr. Gerhardt (No. 55, Int. No. 55), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section six of article three of the Constitution, in relation to the compensation of members of the Legislature."

Also, the bill introduced by Mr. Hoey (No. 643, Int. No. 611), entitled "An act reappropriating the unexpended balance of the appropriation heretofore made to the New York Interstate Bridge Commission and making an additional appropriation therefor."

Also, the bill introduced by Mr. A. J. Levy (No. 358, Int. No. 351), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section two of article six of the Constitution, in relation to assignment of justices of the Supreme Court to hold Special and Trial Terms."

Also, the bill introduced by Mr. Lansing (No. 531, Int. No. 515), entitled "An act to protect the purity of the water supply of Rensselaer Water Company."

Also, the bill introduced by Mr. A. J. Levy (No. 477, Int. No. 465), entitled "An act to amend the Code of Criminal Procedure, relative to the appointment of stenographers to take evidence before grand juries and at coroners' inquests and examinations and trials of criminal cases."

Also, the bill introduced by Mr. Patrie (No. 974, Int. No. 403), entitled "An act to amend the Public Service Commissions Law, in relation to the issuance of free passes, or franks, by telephone or telegraph companies."

Also, the bill introduced by Mr. A. E. Smith (No. 542, Int. No. 525), entitled "An act to amend the Personal Property Law and the Lien Law, in relation to liens upon merchandise and the proceeds thereof created by agreement for the purpose of securing the repayment of loans or advances upon the security of said merchandise."

Also, the bill introduced by Mr. T. K. Smith (No. 480, Int. No. 468), entitled "An act to confer jurisdiction upon the Court

of Claims to hear, audit and determine the alleged claim of John M. Shultz against the State for damages alleged to have been sustained by him and to render judgment therefor."

Also, the bill introduced by Mr. Shlivek (No. 457, Int. No. 448), entitled "An act to amend the Penal Law, in relation to persons conducting business under an assumed name."

Also, the bill introduced by Mr. Young (No. 660, Int. No. 625), entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and six, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village,' relative to village boundaries," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Boylan (No. 920, Int. No. 829), entitled "An act to amend the Penal Law, in relation to Sunday observance," reported the same with the following recommendation:

On page 2, line 4, change " a " to " the ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the charter of the city of Cortland, in relation to the medical and dental examination of children in the public schools and in the State Normal School in said city." (No. 907, Int. No. 818.)

"An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding temporary loan bonds heretofore issued to raise money for the purchase of property to be used as a site for a technical high school in said city, and temporary nonnegotiable certificates of indebtedness issued to secure a part of the purchase price of said technical high school site." (No. 699, Int. No. 663.)

"An act to amend the Lackawanna city charter, in relation to definitions." (No. 546, Int. No. 529.)

"An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to examinations and grade certificates for assistant teachers." (No. 158, Int. No. 157.)

"An act to authorize the city of Buffalo to issue bonds bearing interest at a rate not to exceed four and one-half per centum per annum, in cases where the issues of bonds at a limited rate of interest is now authorized by law." (No. 700, Int. No. 664.)

"An act to amend the Personal Property Law and the Lien Law, in relation to liens upon merchandise and the proceeds thereof created by agreement for the purpose of securing the repayment of loans or advances upon the security of said merchandise." (No. 542, Int. No. 525.)

"An act to amend the Code of Criminal Procedure, relative to the appointment of stenographers to take evidence before grand juries and at coroner's inquests and examinations and trials of criminal cases." (No. 477, Int. No. 465.)

"An act to authorize the city of Buffalo to issue its bonds for the purpose of placing underground the electrical wires of the police and fire departments of said city." (No. 711, Int. No. 675.)

"An act to amend the General Business Law, in relation to pawnbrokers." (No. 455, Int. No. 446.)

"An act to amend chapter twenty of the Laws of nineteen hundred and six, entitled 'An act creating the office of purchasing agent for the county of Onondaga, and prescribing his powers and duties,' generally." (No. 893, Int. No. 803.)

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The presiding officer of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Allen with Mr. Ferris; Mr. Argetsinger with Mr. Sanner; Mr. Bussey with Mr. Harden; Mr. Hewitt with Mr. Murtaugh; Mr. Heacock with Mr. McManus; Mr. Coats with Mr. Bayne; Mr. Cobb with Mr. Frawley; Mr. Emerson with Mr. Black; Mr. Griffin with Mr. Burd; Mr. Hamilton with Mr. Cronin; Mr. Hinman with Mr. Cullen; Mr. Ormrod with Mr. C. D. Sullivan; Mr. Platt with Mr. Stilwell; Mr. Thomas with Mr. Gittins; Mr. Rose with Mr. McClelland; Mr. Travis with Mr. Harte; Mr. Wainwright with Mr. Ramsperger; Mr. Walters with Mr. Wagner; Mr. Newcomb with Mr. T. D. Sullivan; Mr. Griffith with Mr. O'Brien.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Frisbie 1

FOR CHAUNCEY M. DEPEW.

Lansing 1

FOR MARTIN W. LITTLETON.

Drummond 1

FOR JOHN N. CARLISLE.

Day 1

When the roll was called the following pairs were announced:

Mr. Bryant with Mr. Weil; Mr. Brereton with Mr. Monczynski; Mr. Sheide with Mr. Talmage; Mr. Sweet with Mr. Hearn; Mr. Boylan with Mr. Higgins; Mr. C. W. Phillips with Mr. J. Levy; Mr. Hammond with Mr. Brennan; Mr. Cheney with Mr. Graubard; Mr. J. S. Phillips with Mr. W. R. Herrick; Mr. Seeley with Mr. Shannon; Mr. DeLano with Mr. Jackson; Mr. Egan with Mr. Ward; Mr. Waring with Mr. Washburn; Mr. Pappert with Mr. Fitzpatrick; Mr. Adler with Mr. Blauvelt; Mr. Goodman with Mr. Mork; Mr. Shepardson with Mr. Patrie; Mr. Shlivek with Mr. Goldberg; Mr. Macdonald with Mr. Gerhardt; Mr. Wilson with Mr. Collin; Mr. Constantine with Mr. Donovan; Mr. Young with Mr. Warren; Mr. Baumes with Mr. Spielberg; Mr. Nolan with Mr. J. J. Herrick; Mr.

Jones with Mr. Gregg; Mr. Allen with Mr. Manley; Mr. Gray with Mr. Bush; Mr. Haines with Mr. McGrath; Mr. Brown with Mr. Walker; Mr. Lincoln with Mr. Dawson; Mr. Hinman with Mr. McElligott; Mr. F. A. Waters with Mr. LaReau; Mr. MacGregor with Mr. McCue; Mr. Brooks with Mr. A. Parker; Mr. Butler with Mr. Zorn; Mr. Murray with Mr. Foley; Mr. Schifferdecker with Mr. Keys; Mr. Winters with Mr. Carew; Mr. Geatons with Mr. Pierce; Mr. Lent with Mr. Heyman; Mr. Fay with Mr. Stivers; Mr. Donnelly with Mr. Ebbets; Mr. M. A. O'Neil with Mr. Hoff; Mr. Hart with Mr. Goldstein; Mr. McKeon with Mr. Yeomans; Mr. Farrell with Mr. Connell; Mr. Gillen with Mr. Cross; Mr. Gerken with Mr. Colne; Mr. J. J. O'Neill with Mr. Coffey; Mr. Jameson with Mr. Ahern.

Whole number of votes cast..... 5

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	1	1	2
For Chauncey M. Depew	0	1	1
For Martin W. Littleton.....	0	1	1
For John N. Carlisle	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Bussey, the joint assembly took a recess until Monday, March 13th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Monday, March 13th, at 12 o'clock noon in the Assembly Chamber.

On motion of Mr. Merritt, the House adjourned until Monday, March 13th, at 11:30 o'clock A. M.

MONDAY, MARCH 13, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of Saturday, March 11th, was dispensed with and the same was approved.

Mr. Speaker presented the Forty-eighth Annual Report of the New York Catholic Protectory, which was laid upon the table and ordered printed.

(See Assembly Document No. 38.)

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Ferris	Fiero	Gittins	Wagner	4

FOR MARTIN W. LITTLETON.

Roosevelt	1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Allen with Mr. Ferris; Mr. Argetsinger with Mr. Sanner; Mr. Bussey with Mr. Harden; Mr. Hewitt with Mr. Murtaugh; Mr. Heacock with Mr. McManus; Mr. Coats with Mr. Bayne; Mr. Cobb with Mr. Frawley; Mr. Emerson with Mr. Black; Mr. Griffin with Mr. Burd; Mr. Hamilton with Mr. Cronin; Mr. Hinman with Mr. Cullen; Mr. Ormrod with Mr. C. D. Sullivan; Mr. Platt with Mr. Stilwell; Mr. Thomas with Mr. Gittins; Mr. Rose with Mr. McClelland; Mr. Travis with Mr. Harte; Mr. Wainwright with Mr. Ramsperger; Mr. Walters with Mr. Wagner; Mr. Newcomb with Mr. T. D. Sullivan.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Cuvillier	Smith A E	Frisbie	3

FOR CHAUNCEY M. DEPEW.

Lansing	1

FOR MARTIN W. LITTLETON.

Beach	Brace	Drummond	Terry	Wheeler	5

FOR MARTIN H. GLYNN.

Saunders	1

FOR M. J. O'BRIEN.

Fr-	1

FOR WILLIAM SULZER.

Myers	1

FOR JOHN N. CARLISLE.

Da-	1

FOR J. J. HOPPER.

O'Connor	1

FOR JOHN D. KERNAN.

Bridenbecker	Cosad	Evans	3

FOR J. H. DOUGHERTY.

Shortt	1

When the roll was called the following pairs were announced: Mr. Bryant with Mr. Weil; Mr. Brereton with Mr. Moneczynski; Mr. Sheide with Mr. Talmage; Mr. Sweet with Mr. Hearn; Mr. Boylan with Mr. Higgins; Mr. C. W. Phillips with Mr. J. Levy; Mr. Hammond with Mr. Brennan; Mr. Cheney with Mr. Graubard; Mr. J. S. Phillips with Mr. W. R. Herrick; Mr. Seeley with Mr. Shannon; Mr. DeLano with Mr. Jackson; Mr. Egan with Mr. Ward; Mr. Waring with Mr. Washburn; Mr. Pappert with Mr. Fitzpatrick; Mr. Adler with Mr. Blauvelt; Mr. Goodman with Mr. Mork; Mr. Shepardson with Mr. Patrie; Mr. Shlivek with Mr. Goldberg; Mr. Macdonald with Mr. Gerhardt; Mr. Wilson with Mr. Collin; Mr. Constantine with Mr. Donovan; Mr. Young with Mr. Warren; Mr. Baumes with Mr. Spielberg; Mr. Nolan with Mr. J. J. Herrick; Mr.

Jones with Mr. Gregg; Mr. Allen with Mr. Manley; Mr. Gray with Mr. Bush; Mr. Haines with Mr. McGrath; Mr. Brown with Mr. Walker; Mr. Lincoln with Mr. Dawson; Mr. Hinman with Mr. McElligott; Mr. F. A. Waters with Mr. LaReau; Mr. MacGregor with Mr. McCue; Mr. Brooks with Mr. A. Parker; Mr. Butler with Mr. Zorn; Mr. Murray with Mr. Foley; Mr. Schifferdecker with Mr. Keys; Mr. Winters with Mr. Carew; Mr. Geatons with Mr. Pierce; Mr. Lent with Mr. Heyman; Mr. Fay with Mr. Stivers; Mr. Donnelly with Mr. Ebbets; Mr. M. A. O'Neil with Mr. Hoff; Mr. Hart with Mr. Goldstein; Mr. McKeon with Mr. Yeomans; Mr. Farrell with Mr. Connell; Mr. Gillen with Mr. Cross; Mr. Gerken with Mr. Colne; Mr. J. J. O'Neill with Mr. Coffey; Mr. Jameson with Mr. Ahern.

Whole number of votes cast..... 23

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	4	3	7
For Chauncey M. Depew.....	0	1	1
For Martin W. Littleton.....	1	5	6
For Martin H. Glynn.....	0	1	1
For John D. Kernan.....	0	3	3
For M. J. O'Brien.....	0	1	1
For William Sulzer.....	0	1	1
For J. H. Dougherty.....	0	1	1
For John N. Carlisle.....	0	1	1
For John J. Hopper.....	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office expired the 4th day of March, 1911.

On motion of Mr. Gittins, the joint assembly took a recess until Tuesday, March 14th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had

been made and that the joint assembly had adjourned to meet Tuesday, March 14th, at 12 o'clock noon in the Assembly Chamber.

On motion of Mr. A. E. Smith, the House took a recess until 8:30 o'clock P. M.

EIGHT O'CLOCK AND THIRTY MINUTES P. M.

The House again convened.

The Senate sent for concurrence the following entitled bills:

"Concurrent resolution of the Senate and Assembly proposing an amendment to section fourteen of article six of the Constitution, in relation to the County Court of Kings county" (No. 331, Rec. No. 58), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Code of Civil Procedure, in relation to challenges to jury" (No. 272, Rec. No. 59), which was read the first time and referred to the committee on codes.

"An act to amend the Code of Civil Procedure, in relation to motions for new trials" (No. 402, Rec. No. 60), which was read the first time and referred to the committee on codes.

"An act to revive an act inadvertently repealed by chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester'" (No. 594, Rec. No. 61), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Greater New York charter, in relation to notice to be given to the people of the State of New York and to the city of New York on the foreclosure of tax liens" (No. 590, Rec. No. 62), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter eight hundred and eighteen of the Laws of eighteen hundred and sixty-eight, entitled 'An act to incorporate the village of Port Chester,' in relation to the collection of taxes in said village" (No. 127, Rec. No. 63), which was read the first time and referred to the committee on affairs of villages.

Mr. Bridenbecker introduced a bill entitled "An act to repeal chapter four hundred and thirty-two of the Laws of eighteen hundred and sixty-eight, entitled 'An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county'" (Int. No. 968), which was read the first time and referred to the committee on internal affairs.

Mr. Bush introduced a bill entitled "An act to amend the Public Health Law, in relation to vital statistics" (Int. No. 969), which was read the first time and referred to the committee on public health.

Mr. Haines introduced a bill entitled "An act to amend the Membership Corporations Law, in relation to the incorporation of certain societies whose operations are to be conducted in Westchester county" (Int. No. 970), which was read the first time and referred to the committee on general laws.

Mr. Cuvillier introduced a bill entitled "An act to amend the Public Health Law, relating to cold storage and refrigerating warehouses and places, and the sale or disposition of the food kept or preserved therein" (Int. No. 971), which was read the first time and referred to the committee on public health.

Also, "An act to amend the Greater New York charter, in relation to a municipal employment bureau" (Int. No. 972), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to the creation of an industrial commission" (Int. No. 973), which was read the first time and referred to the committee on affairs of cities.

Mr. Cross, by request, introduced a bill entitled "An act to amend chapter six hundred and fifty of the Laws of nineteen hundred and four, entitled 'An act to revise the charter of the city of Rome,' generally" (Int. No. 974), which was read the first time and referred to the committee on affairs of cities.

Mr. A. E. Smith introduced a bill entitled "An act making an appropriation for the improvement of the canals" (Int. No. 975), which was read the first time and referred to the committee on ways and means.

Also, "An act making an appropriation for the improvement of the canals" (Int. No. 976), which was read the first time and referred to the committee on ways and means.

Mr. Jackson introduced a bill entitled "An act to amend the General Municipal Law and the Penal Law, in relation to the treatment of public intoxication and inebriety" (Int. No. 977), which was read the first time and referred to the committee on codes.

Mr. Foley introduced a bill entitled "An act to amend the Banking Law, in relation to powers of trust companies" (Int. No. 978), which was read the first time and referred to the committee on banking.

Mr. Saunders introduced a bill entitled "An act to provide for the acquisition and preservation of the historic building and estate known as 'Linderwald' situate in the town of Kinderhook, county of Columbia, and making an appropriation therefor" (Int. No. 979), which was read the first time and referred to the committee on ways and means.

Mr. Warren introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to attachment of interest in corporation" (Int. No. 980), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to satisfaction of judgment in action on attachment" (Int. No. 981), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Filley introduced a bill entitled "An act to annex the city of Watervliet to the city of Troy, and to increase the number of wards in the city of Troy, and to make certain provisions incident thereto" (Int. No. 982), which was read the first time and referred to the committee on affairs of cities.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to legalize, ratify and confirm bonds of the city of Buffalo, heretofore authorized and issued." (No. 710, Int. No. 674.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John M. Shultz against the State for damages alleged to have been sustained by him and to render judgment therefor." (No. 480, Int. No. 468.)

"An act to amend chapter eighty-four of the Laws of nineteen hundred and nine, entitled 'An act authorizing the city of Buffalo to issue its bonds for the construction and equipment of new school buildings,' so as to authorize the use of the proceeds of said bonds for the purchase of lands and increase the limit on the rate of interest on such bonds." (No. 701, Int. No. 665.)

"An act to amend the charter of the city of Cortland, in relation to the collection of ashes and garbage in said city." (No. 908, Int. No. 819.)

"An act to amend the Public Service Commissions Law, in relation to the issuance of free passes, or franks, by telephone or telegraph companies." (No. 974, Int. No. 403.)

"An act to amend the Greater New York charter, in relation to city marshals." (No. 1059, Int. No. 690.)

"An act to amend the Penal Law, in relation to persons conducting business under an assumed name." (No. 457, Int. No. 448.)

"Concurrent resolution of the Senate and Assembly proposing an amendment to section two of article six of the Constitution, in relation to assignment of justices of the Supreme Court to hold Special and Trial Terms." (No. 358, Int. No. 351.)

"An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding certain temporary nonnegotiable certificates of indebtedness heretofore issued to secure the purchase price of property to be used for street and park purposes in said city." (No. 698, Int. No. 662.)

"An act to amend the charter of the city of Cortland, in relation to street and other public improvements, street sprinkling and sewers, in said city, and the issuance and sale of city bonds for purposes relating thereto." (No. 589, Int. No. 567.)

"An act to amend chapter one hundred and forty-nine of the Laws of nineteen hundred and eight, entitled 'An act to provide for the celebration of the tercentenary of the discovery of Lake Champlain, the appointment of a commission, prescribing its

powers and duties and making an appropriation therefor,' as amended by chapter forty-four of the Laws of nineteen hundred and ten, relative to the powers and duties of said commission and extending the time for making its report to the Legislature and reappropriating the unexpended balance of the appropriation made by chapter four hundred and thirty-three of the Laws of nineteen hundred and nine." (No. 671, Int. No. 636.)

"An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and six, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village,' relative to village boundaries." (No. 660, Int. No. 625.)

"An act to protect the purity of the water supply of Rensselaer Water Company." (No. 531, Int. No. 515.)

"An act reappropriating the unexpended balance of the appropriation heretofore made to the New York Interstate Bridge Commission, and making an additional appropriation therefor." (No. 643, Int. No. 611.)

"An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of certain sewers and a sewage disposal plant therefor and to the issue of bonds therefor." (No. 672, Int. No. 637.)

"Concurrent resolution of the Senate and Assembly proposing an amendment to section six of article three of the Constitution, in relation to the compensation of members of the Legislature." (No. 55, Int. No. 55.)

"An act to amend the Greater New York charter, in relation to pensions to members of the police force." (No. 1060, Int. No. 706.)

"An act to amend chapter six hundred and fifty of the Laws of nineteen hundred and four, entitled 'An act to revise the charter of the city of Rome,' generally." (No. 885, Int. No. 795.)

"An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the department of police in said city." (No. 640, Int. No. 608.)

The bill (No. 978, Int. No. 716) entitled "An act to amend the Greater New York charter, in relation to revocation of auctioneers' licenses," was read the second time.

On motion of Mr. McCue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 976, Int. No. 685) entitled "An act to amend the Greater New York charter, in relation to pensioners holding offices," was read the second time.

On motion of Mr. McCue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 977, Int. No. 353) entitled "An act to amend the Greater New York charter, in relation to allowances for blind persons and appropriations therefor, and making temporary provision for raising funds for the present increase of such allowances," was read the second time.

On motion of Mr. McCue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 939, Int. No. 848) entitled "An act to legalize the action of the board of trustees of the electors of the village of Canajoharie, in relation to the issue of the bonds of such village for fifty thousand dollars to defray a portion of the expense of establishing a system of water works therein, and to legalize such bonds and the issuance thereof, and to provide for the payment of the same," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124
NOES 00

Those who voted in the affirmative were:

Adler	Cuvillier	Hammond	McElligott	Smith A E
Ahern	Dawson	Hearn	McKeon	Spielberg
Allen	Day	Heyman	Merritt	Stivers
Baumes	DeLano	Higgins	Miller	Sullivan
Beach	Drummond	Hinman	Monczynski	Sweet
Boylan	Ebbetts	Hoey	Mork	Talmage
Brace	Egan	Hoff	Myers	Terry

Brennan	Evans	Hollmann	Neupert	Thorn
Brereton	Fay	Hoyt	Nolan	Trombly
Bridenbecker	Filley	Huber	O'Connor	Turley
Brooks	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	Pappert	Waring
Butler	Geatons	Kennedy	Parker A	Warren
Carew	Gerhardt	Keys	Patrie	Washburn
Caughlan	Gerken	Kopp	Pierce	Waters F A
Chanler	Goldberg	Lansing	Saunders	Waters R B
Cheney	Goldstein	LaReau	Schifferdecker	Weil
Coffey	Goodman	Lincoln	Seeley	Wende
Collin	Graubard	Macdonald	Shannon	Wheeler
Colné	Gray	MacGregor	Shea	Wilson
Connell	Gurnett	Manley	Sheide	Winters
Constantine	Hackett	Martin	Shepardson	Yale
Cosad	Haines	McCue	Shlivek	Yeomans
Cross	Hart	McDaniels	Shortt	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 320, Int. No. 319) entitled "An act to amend the County Law, relative to additional official duties of the district attorney of Niagara county and to provide for his disbursements in the performance of the same," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 00

Those who voted in the affirmative were:

Adler	Cuvillier	Hart	McDaniels	Shortt
Ahern	Dawson	Hammond	McElligott	Smith A E
Allen	Day	Hearn	McKeon	Spielberg
Baumes	DeLano	Heyman	Merritt	Stivers
Beach	Drummond	Higgins	Miller	Sullivan
Boylan	Ebbetts	Hinman	Monczynski	Sweet
Brace	Egan	Hoey	Mork	Talmage
Brennan	Evans	Hoff	Myers	Terry
Brereton	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Foley	Huber	O'Connor	Turley
Bryant	Friedman	Jackson	Oliver	Walker
Bush	Fry	Jameson	O'Neil J J	Ward
Butler	Geatons	Jones	Pappert	Waring
Carew	Gerhardt	Kennedy	Parker A	Warren
Caughlan	Gerken	Keys	Patrie	Washburn
Chanler	Goldberg	Kopp	Pierce	Waters F A
Cheney	Goldstein	Lansing	Saunders	Waters R B

Coffey	Goodman	LaReau	Schifferdecker	Weil
Collin	Graubard	Lincoln	Seeley	Wende
Colné	Gray	Macdonald	Shannon	Wheeler
Connell	Gregg	MacGregor	Shea	Wilson
Constantine	Gurnett	Manley	Sheide	Winters
Cossad	Hackett	Martin	Shepardson	Yale
Cross	Haines	McCue	Shlivek	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 882, Int. No. 53) entitled "An act to amend the Penal Law, in relation to kidnapping," having been announced for a third reading,

On motion of Mr. Ward, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The Senate bill (No. 390, Rec. No. 27) entitled "An act in relation to the improvement of State street in the city of Albany," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hammond	McElligott	Smith A E
Ahern	Day	Hearn	McKeon	Spielberg
Allen	DeLano	Heyman	Merritt	Stivers
Baumes	Drummond	Higgins	Miller	Sullivan
Feech	Ebbetts	Hinman	Monczynski	Sweet
Boylan	Egan	Hoey	Mork	Talmage
Brace	Evans	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Brereton	Filley	Hoyt	Nolan	Trombly
Bridenbecker	Foley	Huber	O'Connor	Turley
Brooks	Friedman	Jackson	Oliver	Walker
Bryant	Fry	Jameson	O'Neill J J	Ward
Bush	Geatons	Jones	Pappert	Waring
Butler	Gerhardt	Kennedy	Parker A	Warren
Carew	Gerken	Keys	Patrie	Washburn
Caughlan	Goldberg	Kopp	Pierce	Waters F A
Chanler	Goldstein	Lansing	Saunders	Waters R B
Cheney	Goodman	LaReau	Schifferdecker	Weil
Coffey	Graubard	Lincoln	Seeley	Wende
Colin	Gray	Macdonald	Shannon	Wheeler

Colné	Gregg	MacGregor	Shea	White
Connell	Gurnett	Manley	Sheide	Wilson
Constantine	Hackett	Martin	Shepardson	Winters
Cosad	Haines	McCue	Shlivek	Yale
Cross	Hart	McDaniels	Shortt	Yeomans
Cuvillier				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 423, Rec. No. 39) entitled "An act to amend the Legislative Law, in relation to the compensation of the Sergeants-at-Arms," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124
NOES 00

Those who voted in the affirmative were:

Adler	Cuvillier	Hammond	McElligott	Smith A E
Ahern	Dawson	Hearn	McKeon	Spielberg
Allen	Day	Heyman	Merritt	Stivers
Baumes	DeLano	Higgins	Miller	Sullivan
Beach	Drummond	Hinman	Monczynski	Sweet
Boylan	Ebbetts	Hoey	Mork	Talmage
Brace	Egan	Hoff	Myers	Terry
Brennan	Evans	Hollmann	Neupert	Thorn
Brereton	Fay	Hoyt	Nolan	Trombly
Bridenbecker	Filley	Huber	O'Connor	Turley
Brooks	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	Pappert	Waring
Butler	Geatons	Kennedy	Parker A	Warren
Carew	Gerhardt	Keys	Patrie	Washburn
Caughlan	Gerken	Kopp	Pierce	Waters F A
Chanler	Goldberg	Lansing	Saunders	Waters R B
Cheney	Goldstein	LaReau	Schifferdecker	Weil
Coffey	Goodman	Lincoln	Seeley	Wende
Collin	Graubard	Macdonald	Shannon	Wheeler
Colné	Gray	MacGregor	Shea	Wilson
Connell	Gurnett	Manley	Sheide	Winters
Constantine	Hackett	Martin	Shepardson	Yale
Cosad	Haines	McCue	Shlivek	Yeomans
Cross	Hart	McDaniels	Shortt	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 412, Rec. No. 47) entitled "An act to provide for the acquisition and preservation of the historic building known as the Schuyler Mansion, situate in the city of Albany, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hammond	McElligott	Smith A E
Ahern	Day	Hearn	McKeon	Spielberg
Allen	DeLano	Heyman	Merritt	Stivers
Baumes	Drummond	Higgins	Miller	Sullivan
Beach	Ebbetts	Hinman	Monczynski	Sweet
Boylan	Egan	Hoey	Mork	Talmage
Brace	Evans	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Brereton	Filley	Hoyt	Nolan	Trombly
Bridenbecker	Foley	Huber	O'Connor	Turley
Brooks	Friedman	Jackson	Oliver	Walker
Bryant	Fry	Jameson	O'Neill J J	Ward
Bush	Geatons	Jones	Pappert	Waring
Butler	Gerhardt	Kennedy	Parker A	Warren
Carew	Gerken	Keys	Patrie	Washburn
Caughlan	Goldberg	Kopp	Pierce	Waters F A
Chanler	Goldstein	Lansing	Saunders	Waters R B
Cheney	Goodman	LaReau	Schifferdecker	Weil
Coffey	Graubard	Lincoln	Seeley	Wende
Collin	Gray	Macdonald	Shannon	Wheeler
Colne	Gregg	MacGregor	Shea	White
Connell	Gurnett	Manley	Sheide	Wilson
Constantine	Hackett	Martin	Shepardson	Winters
Cosad	Haines	McCue	Shlivek	Yale
Cross	Hart	McDaniels	Shortt	Yeomans
Cuvillier				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 317, Int. No. 316) entitled "An act to amend the Public Health Law, in relation to qualifications for the practice of veterinary medicine and surgery," having been announced for a third reading,

On motion of Mr. McElligott, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 565, Int. No. 548) entitled "An act to authorize the board of trustees of the village of Seneca Falls to issue bonds to pay the cost of paving portions of certain streets in said village in which the tracks of the Geneva and Auburn Railway Company are located and to assess the cost thereof on such railway company," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hammond	McElligott	Smith A E
Ahern	Day	Hearn	McKeon	Spielberg
Allen	DeLano	Heyman	Merritt	Stivers
Baumes	Drummond	Higgins	Miller	Sullivan
Beach	Ebbetts	Hinman	Monczynski	Sweet
Boylan	Egan	Hoey	Mork	Talmage
Brace	Evans	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Brereton	Filley	Hoyt	Nolan	Trombly
Bridenbecker	Foley	Huber	O'Connor	Tuley
Brooks	Friedman	Jackson	Oliver	Walker
Bryant	Fry	Jameson	O'Neill J J	Ward
Bush	Geatons	Jones	Pappert	Waring
Butler	Gerhardt	Kennedy	Parker A	Warren
Carew	Gerken	Keys	Patrie	Washburn
Caughlan	Goldberg	Kopp	Pierce	Waters F A
Chanler	Goldstein	Lansing	Saunders	Waters R B
Cheney	Goodman	LaReau	Schifferdecker	Weil
Coffey	Graubard	Lincoln	Seeley	Wende
Collin	Gray	Macdonald	Shannon	Wheeler
Colné	Gregg	MacGregor	Shea	White
Connell	Gurnett	Manley	Sheide	Wilson
Constantine	Hackett	Martin	Shepardson	Winters
Cosad	Haines	McCue	Shlivek	Yale
Cross	Hart	McDaniels	Shortt	Yeomans
Cuvillier				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 975, Int. No. 510) entitled "An act to provide for the payment of the balance due newspapers for the publica-

tion of concurrent resolutions to the Legislature of nineteen hundred and ten, proposing amendments to the Constitution of this State, and for deficiency in appropriation for the publication of other official notices required to be published as provided by law, which are subject to contract," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124
NOES 00

Those who voted in the affirmative were:

Adler	Cuvillier	Hammond	McElligott	Smith A E
Ahern	Dawson	Hearn	McKeon	Spielberg
Allen	Day	Heyman	Merritt	Stivers
Baumes	DeLano	Higgins	Miller	Sullivan
Beach	Drummond	Hinman	Monczynski	Sweet
Boylan	Ebbetts	Hoey	Mork	Talmage
Brace	Egan	Hoff	Myers	Terry
Brennan	Evans	Hollmann	Neupert	Thorn
Brereton	Fay	Hoyt	Nolan	Trombly
Bridenbecker	Filley	Huber	O'Connor	Turley
Brooks	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	Pappert	Waring
Butler	Geatons	Kennedy	Parker A	Warren
Carew	Gerhardt	Keys	Patrie	Washburn
Caughlan	Gerken	Kopp	Pierce	Waters F A
Chanler	Goldberg	Lansing	Saunders	Waters R B
Cheney	Goldstein	LaReau	Schifferdecker	Weil
Coffey	Goodman	Lincoln	Seeley	Wende
Collin	Graubard	Macdonald	Shannon	Wheeler
Colné	Gray	MacGregor	Shea	Wilson
Connell	Gurnett	Manley	Sheide	Winters
Constantine	Hackett	Martin	Shepardson	Yale
Cosad	Haines	McCue	Shlivek	Yeomans
Cross	Hart	McDaniels	Shortt	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 907, Int. No. 818) entitled "An act to amend the charter of the city of Cortland, in relation to the medical and dental examination of children in the public schools and in the State Normal School in said city," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124
NOES 00

Those who voted in the affirmative were:

Adler	Cuvillier	Hammond	McElligott	Smith A E
Ahern	Dawson	Hearn	McKeon	Spielberg
Allen	Day	Heyman	Merritt	Stivers
Baumes	DeLano	Higgins	Miller	Sullivan
Beach	Drummond	Hinman	Monczynski	Sweet
Boylan	Ebbetts	Hoey	Mork	Talmage
Brace	Egan	Hoff	Myers	Terry
Brennan	Evans	Hollmann	Nepuert	Thorn
Brereton	Fay	Hoyt	Nolan	Trombly
Bridenbecker	Filley	Huber	O'Connor	Turley
Brooks	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	Pappert	Waring
Butler	Geatons	Kennedy	Parker A	Warren
Carew	Gerhardt	Keys	Patrie	Washburn
Caughlan	Gerken	Kopp	Pierce	Waters F A
Chanler	Goldberg	Lansing	Saunders	Waters R B
Cheney	Goldstein	LaReau	Schifferdecker	Weil
Coffey	Goodman	Lincoln	Seeley	Wende
Collin	Graubard	Macdonald	Shannon	Wheeler
Colné	Gray	MacGregor	Shea	Wilson
Connell	Gurnett	Manley	Sheide	Winters
Constantine	Hackett	Martin	Shepardson	Yale
Cosad	Haines	McCue	Shlivek	Yeomans
Cross	Hart	McDaniels	Shortt	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 893, Int. No. 803) entitled "An act to amend chapter twenty of the Laws of nineteen hundred and six, entitled 'An act creating the office of purchasing agent for the county of Onondaga, and prescribing his powers and duties,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124
NOES 00

Those who voted in the affirmative were:

Adler	Cuvillier	Hammond	McElligott	Smith A E
Ahern	Dawson	Hearn	McKeon	Spielberg
Allen	Day	Heyman	Merritt	Stivers
Baumes	DeLano	Higgins	Miller	Sullivan
Beach	Drummond	Hinman	Monczynski	Sweet
Boylan	Ebbetts	Hoey	Mork	Talmage
Brace	Egan	Hoff	Myers	Terry
Brennan	Evans	Hollmann	Neupert	Thorn
Brereton	Fay	Hoyt	Nolan	Trombly
Bridenbecker	Filley	Huber	O'Connor	Turley
Brooks	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	Pappert	Waring
Butler	Geatons	Kennedy	Parker A	Warren
Carew	Gerhardt	Keys	Patrie	Washburn
Caughlan	Gerken	Kopp	Pierce	Waters F A
Chanler	Goldberg	Lansing	Saunders	Waters R B
Cheney	Goldstein	LaReau	Schifferdecker	Weil
Coffey	Goodman	Lincoln	Seeley	Wende
Collin	Graubard	Macdonald	Shannon	Wheeler
Colne	Gray	MacGregor	Shea	Wilson
Connell	Gurnett	Manley	Sheide	Winters
Constantine	Hackett	Martin	Shepardson	Yale
Cosad	Haines	McCue	Shlivek	Yeomans
Cross	Hart	McDaniels	Shortt	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 455, Int. No. 446) entitled "An act to amend the General Business Law, in relation to pawnbrokers," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 711, Int. No. 675) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of placing underground the electrical wires of the police and fire departments of said city," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124
NOES 00

Those who voted in the affirmative were:

Adler	Cuvillier	Hammond	McElligott	Smith A E
Ahern	Dawson	Hearn	McKeon	Spielberg
Allen	Day	Heyman	Merritt	Stivers
Baumes	DeLano	Higgins	Miller	Sullivan
Beach	Drummond	Hinman	Monczynski	Sweet
Boylan	Ebbetts	Hoey	Mork	Talmage
Brace	Egan	Hoff	Myers	Terry
Brennan	Evans	Hollmann	Neupert	Thorn
Brereton	Fay	Hoyt	Nolan	Trombly
Bridenbecker	Filley	Huber	O'Connor	Turley
Brooks	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	Pappert	Waring
Butler	Geatons	Kennedy	Parker A	Warren
Carew	Gerhardt	Keys	Patrie	Washburn
Caughlan	Gerken	Kopp	Pierce	Waters F A
Chanler	Goldberg	Lansing	Saunders	Waters R B
Cheney	Goldstein	LaReau	Schifferdecker	Weil
Coffey	Goodman	Lincoln	Seeley	Wende
Collin	Graubard	Macdonald	Shannon	Wheeler
Colné	Gray	MacGregor	Shea	Wilson
Connell	Gurnett	Manley	Sheide	Winters
Constantine	Hackett	Martin	Shepardson	Yale
Cosad	Haines	McCue	Shlivek	Yeomans
Cross	Hart	McDaniels	Shortt	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 477, Int. No. 465) entitled "An act to amend the Code of Criminal Procedure, relative to the appointment of stenographers to take evidence before grand juries and at coroner's inquests and examinations and trials of criminal cases," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	Cuvillier	Hearn	McKeon	Smith A E
Ahern	Dawson	Heyman	Merritt	Spielberg
Allen	Day	Higgins	Miller	Stivers
Baumes	DeLano	Hinman	Monczynski	Sullivan

Beach	Drummond	Hoey	Mork	Sweet
Boylan	Ebbetts	Hoff	Myers	Talmage
Brace	Egan	Hollmann	Neupert	Terry
Brennan	Evans	Hoyt	Nolan	Thorn
Brereton	Fay	Huber	O'Connor	Trombly
Bridenbecker	Filley	Jackson	Oliver	Turley
Brooks	Foley	Jameson	O'Neill J J	Walker
Bryant	Friedman	Jones	Pappert	Ward
Bush	Fry	Kennedy	Parker A	Waring
Butler	Geatons	Keys	Patrie	Warren
Carew	Gerhardt	Kopp	Pierce	Washburn
Caughlan	Gerken	Lansing	Saunders	Waters F A
Chanler	Goldberg	LaReau	Schifferdecker	Waters R B
Cheney	Goldstein	Lincoln	Seeley	Weil
Coffey	Graubard	Macdonald	Shannon	Wende
Collin	Gray	MacGregor	Shea	Wheeler
Colné	Gurnett	Manley	Sheide	Wilson
Connell	Hackett	Martin	Shepardson	Winters
Constantine	Haines	McCue	Shlivek	Yale
Cosad	Hart	McDaniels	Shortt	Yeomans
Cross	Hammond	McElligott		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 699, Int. No. 663) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding temporary loan bonds heretofore issued to raise money for the purchase of property to be used as a site for a technical high school in said city, and temporary nonnegotiable certificates of indebtedness issued to secure a part of the purchase price of said technical high school site," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative dys prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	Cuvillier	Hammond	McElligott	Smith A E
Ahern	Dawson	Hearn	McKeon	Spielberg
Allen	Day	Heyman	Merritt	Stivers
Baumes	DeLano	Higgins	Miller	Sullivan
Beach	Drummond	Hinman	Monczynski	Sweet
Boylan	Ebbetts	Hoey	Mork	Talmage
Brace	Egan	Hoff	Myers	Terry
Brennan	Evans	Hollmann	Neupert	Thorn
Brereton	Fay	Hoyt	Nolan	Trombly
Bridenbecker	Filley	Huber	O'Connor	Turley
Brooks	Foley	Jackson	Oliver	Walker

Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	Pappert	Waring
Butler	Geatons	Kennedy	Parker A	Warren
Carew	Gerhardt	Keys	Patrie	Washburn
Caughlan	Gerken	Kopp	Pierce	Waters F A
Chanler	Goldberg	Lansing	Saunders	Waters R B
Cheney	Goldstein	LaReau	Schifferdecker	Weil
Coffey	Goodman	Lincoln	Seeley	Wende
Collin	Graubard	Macdonald	Shannon	Wheeler
Colné	Gray	MacGregor	Shea	Wilson
Connell	Gurnett	Manley	Sheide	Winters
Constantine	Hackett	Martin	Shepardson	Yale
Cosad	Haines	McCue	Shlivek	Yeomans
Cross	Hart	McDaniels	Shortt	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 542, Int. No. 525) entitled "An act to amend the Personal Property Law and the Lien Law, in relation to liens upon merchandise and the proceeds thereof created by agreement for the purpose of securing the repayment of loans or advances upon the security of said merchandise," having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 700, Int. No. 664) entitled "An act to authorize the city of Buffalo to issue bonds bearing interest at a rate not to exceed four and one-half per centum per annum, in cases where the issues of bonds at a limited rate of interest is now authorized by law," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124
NOES 00

Those who voted in the affirmative were:

Adler	Cuvillier	Hammond	McElligott	Smith A E
Ahern	Dawson	Hearn	McKeon	Spielberg
Allen	Day	Heyman	Merritt	Stivers
Baumes	DeLano	Higgins	Miller	Sullivan

Beach	Drummond	Hinman	Monczynski	Sweet
Boylan	Ebbetts	Hoey	Mork	Talmage
Brace	Egan	Hoff	Myers	Terry
Brennan	Evans	Hollmann	Neupert	Thorn
Brereton	Fay	Hoyt	Nolan	Trombly
Bridenbecker	Filley	Huber	O'Connor	Turley
Brooks	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	Pappert	Waring
Butler	Geatons	Kennedy	Parker A	Warren
Carew	Gerhardt	Keys	Patrie	Washburn
Caughlan	Gerken	Kopp	Pierce	Waters F A
Chanler	Goldberg	Lansing	Saunders	Waters R B
Cheney	Goldstein	LaReau	Schifferdecker	Weil
Coffey	Goodman	Lincoln	Seeley	Wende
Collin	Graubard	Macdonald	Shannon	Wheeler
Colné	Gray	MacGregor	Shea	Wilson
Connell	Gurnett	Manley	Sheide	Winters
Constantine	Hackett	Martin	Shepardson	Yale
Cosad	Haines	McCue	Shlivek	Yeomans
Cross	Hart	McDaniels	Shortt	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 546, Int. No. 529) entitled "An act to amend the Lackawanna city charter, in relation to definitions," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124
NOES 00

Those who voted in the affirmative were:

Adler	Cuvillier	Hammond	McElligott	Smith A E
Ahern	Dawson	Hearn	McKeon	Spielberg
Allen	Day	Heyman	Merritt	Stivers
Baumes	DeLano	Higgins	Miller	Sullivan
Beach	Drummond	Hinman	Monczynski	Sweet
Boylan	Ebbetts	Hoey	Mork	Talmage
Brace	Egan	Hoff	Myers	Terry
Brennan	Evans	Hollmann	Neupert	Thorn
Brereton	Fay	Hoyt	Nolan	Trombly
Bridenbecker	Filley	Huber	O'Connor	Turley
Brooks	Foley	Jackson	Oliver	Walker
Bryant	Friedman	Jameson	O'Neill J J	Ward
Bush	Fry	Jones	Pappert	Waring
Butler	Geatons	Kennedy	Parker A	Warren
Carew	Gerhardt	Keys	Patrie	Washburn
Caughlan	Gerken	Kopp	Pierce	Waters F A

Chanler	Goldberg	Lansing	Saunders	Waters R B
Cheney	Goldstein	LaReau	Schifferdecker	Weil
Coffey	Goodman	Lincoln	Seeley	Wende
Collin	Graubard	Macdonald	Shannon	Wheeler
Colne	Gray	MacGregor	Shea	Wilson
Connell	Gurnett	Manley	Sheide	Winters
Constantine	Hackett	Martin	Shepardson	Yale
Cosad	Haines	McCue	Shlivek	Yeomans
Cross	Hart	McDaniels	Shortt	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 44, Senate reprint No. 624, Int. No. 44), entitled "An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds in the sum of two million dollars for the purpose of acquiring additional park lands and lands along the water front and improving the same,' authorizing the use of a part of the proceeds of the sale or sales of said bonds for improvements on park lands heretofore acquired by said city, and authorizing the increased rate of interest to be paid on such bonds," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 11, after the word "four" insert the words "and one-half".

Amend the title to read as follows:

"An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds in the sum of two million dollars for the purpose of acquiring additional park lands and lands along the water front and improving the same, authorizing the use of a part of the proceeds of the sale or sales of said bonds for improvement on park lands heretofore acquired by said city, and authorizing an increased rate of interest to be paid on such bonds."

Mr. Neupert moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hammond	McElligott	Smith A E
Ahern	Day	Hearn	McKeon	Spielberg
Allen	DeLano	Heyman	Merritt	Stivers
Baumes	Drummond	Higgins	Miller	Sullivan
Beach	Ebbetts	Hinman	Monczynski	Sweet
Boylan	Egan	Hoey	Mork	Talmage
Brace	Evans	Hoff	Myers	Terry
Brennan	Fay	Hollmann	Neupert	Thorn
Brereton	Filley	Hoyt	Nolan	Trombly
Bridenbecker	Foley	Huber	O'Connor	Turley
Brooks	Friedman	Jackson	Oliver	Walker
Bryant	Fry	Jameson	O'Neil J J	Ward
Bush	Geatons	Jones	Pappert	Waring
Butler	Gerhardt	Kennedy	Parker A	Warren
Carew	Gerken	Keys	Patrie	Washburn
Caughlan	Goldberg	Kopp	Pierce	Waters F A
Chanler	Goldstein	Lansing	Saunders	Waters R B
Cheney	Goodman	LaReau	Schifferdecker	Weil
Coffey	Graubard	Lincoln	Seeley	Wende
Collin	Gray	Macdonald	Shannon	Wheeler
Colné	Gregg	MacGregor	Shea	White
Connell	Gurnett	Manley	Sheide	Wilson
Constantine	Hackett	Martin	Shepardson	Winters
Cosad	Haines	McCue	Shlivek	Yale
Cross	Hart	McDaniels	Shortt	Yeomans
Cuvillier				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 430, Int. No. 425), entitled "An act to amend the Judiciary Law, in relation to jurors in New York county," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 134, Reprint No. 800, Int. No. 133), entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation

to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

Also, the bill (No. 877, Int. No. 277), entitled "An act to amend the Agricultural Law, in relation to cider vinegar," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 430, Int. No. 425), entitled "An act to amend the Judiciary Law, in relation to jurors in New York county," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. SAUNDERS: Mr. Speaker, in view of the distinguished services which he has rendered as a member of the House and in view of the love and veneration in which he was held by all who came in contact with him, I move you that this House do now adjourn in honor of the memory of the Honorable John E. Gillett, who died at an advanced age at the city of Hudson recently, and was buried this afternoon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker declared the House adjourned.

TUESDAY, MARCH 14, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Edgar H. Brown.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the House Joint Memorial No. 7 of the State of Montana in relation to polygamy, which was referred to the committee on the judiciary.

The Senate sent for concurrence the following entitled bills:

"An act to amend the State Boards and Commissions Law, relative to notice, plans, specifications and map" (No. 669, Rec. No. 64), which was read the first time and referred to the committee on ways and means.

"An act to make the office of sheriff of Genesee county a salaried office, and to regulate the management of said office" (No. 441, Rec. No. 65), which was read the first time and referred to the committee on internal affairs.

"An act to authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of the claims of Arthur C. Quinn, Thomas Kenny and John Kearney, for services rendered to the county of Kings, in the discretion of such board" (No. 612, Rec. No. 66), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Penal Law, in relation to processions on Sunday in cities" (No. 304, Rec. No. 67), which was read the first time and referred to the committee on codes.

"An act to amend the Code of Civil Procedure, in relation to the jurisdiction of County Courts" (No. 147, Rec. No. 68), which was read the first time and referred to the committee on codes.

"An act to amend the Highway Law, in relation to State and county highways in cities of the third class" (No. 618, Rec. No. 69), which was read the first time and referred to the committee on affairs of cities.

"An act to legalize the proceedings of the board of supervisors had on the twenty-eighth day of June, nineteen hundred and ten, authorizing the issue and sale of certain bonds of the county of Erie, known as Erie county good roads bonds" (No. 670, Rec. No. 70), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Highway Law, in relation to the description of route eighteen of certain highways to be constructed or improved by the State" (No. 570, Rec. No. 71), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Penal Law, in relation to false weights and measures" (No. 671, Rec. No. 72), which was read the first time and referred to the committee on codes.

"An act to amend chapter five hundred and fifty-four of the Laws of eighteen hundred and ninety-nine, entitled 'An act to establish a police pension fund for the city of Albany,' relative to regulating pensions and increasing same" (No. 543, Rec. No. 73), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the General Corporation Law, in relation to revival of corporate existence" (No. 623, Rec. No. 74), which was read the first time and referred to the committee on general laws.

Mr. Hoey introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the chief clerk of the court of special sessions" (Int. No. 983), which was read the first time and referred to the committee on the judiciary.

Mr. A. Parker introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to interlocutory and final judgments of divorce and the annulment of marriages" (Int. No. 984), which was read the first time and referred to the committee on codes.

Mr. Shortt introduced a bill entitled "An act to amend the General Municipal Law, relative to the reporting and examination of municipal accounts" (Int. No. 985), which was read the first time and referred to the committee on affairs of cities.

Mr. Watson, by request, introduced a bill entitled "An act to amend chapter three hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Geneva,' in relation to boundaries" (Int. No. 986), which was read the first time and referred to the committee on affairs of cities.

Mr. Gurnett introduced a bill entitled "An act to amend chapter three hundred and ninety-one of the Laws of nineteen hundred and nine, entitled 'An act making provision for issuing bonds to the amount of not to exceed seven million dollars for the improvement of the Cayuga and Seneca canals, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and nine,' in relation to the route of the Seneca canal" (Int. No. 987), which was read the first time and referred to the committee on banks.

Mr. McElligott introduced a bill entitled "An act to amend the Decedent Estate Law, in relation to the rights of a surviving husband in the personal estate of his wife" (Int. No. 988), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Code of Civil Procedure, in relation to persons entitled to administration" (Int. No. 989), which was read the first time and referred to the committee on codes.

Mr. Warren introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section four of article two of the Constitution, in relation to the registration of voters" (Int. No. 990), which was read the first time and referred to the committee on the judiciary.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill (No. 374, Int. No. 248) introduced by Mr. Foley, entitled "An act to revise the charter of the city of Watervliet," reported in favor of the passage of the same, with the following amendments:

Page 11, line 24, insert after the word "charities" the word "two". Strike out the word "marshal" and insert in place thereof the word "marshals".

Page 13, line 19, strike out the word "marshal" and insert in place thereof the word "marshals".

Page 14, line 24, strike out the word "examined" and insert in place thereof the word "executed".

Page 15, line 24, insert after the word "not" the word "be".

Page 16, line 20, strike out the words "or officer".

Page 19, line 7, strike out the word "five" and insert in place thereof the word "six."

Page, 19, line 8, strike out the word "four" and insert in place thereof the word "five".

Page 44, strike out all of section 91 and insert in place thereof the following:

"§ 91. Determination of positions and salaries. The board of estimate and apportionment shall have the power to fix and change the salaries or compensation of all officers of the city, including such as are fixed by this act, except such as are otherwise provided by law, but every such salary shall be fixed by resolution at least four months before the beginning of the term of office to which it belongs, and shall not be increased or diminished during the continuance of such term of office. Every resolution fixing or changing a salary shall be published, after its introduction and before being finally acted upon, in one or more news-

papers in the city, once a week for four successive weeks. The board of estimate and apportionment shall not have the power to provide for any salary or compensation whatsoever for any officer who by the provisions of this act is required to serve without pay. Said board of estimate and apportionment shall have power to determine the positions and numbers of all city officers and employees of each office, board and department."

Page 74, line 23, strike out the word "fifteen" and insert in place thereof the word "twelve".

Page 80, strike out all of section 166 and insert in place thereof the following:

"§ 166. Appointment of school commissioners. The mayor, within ten days after the passage of this act, shall appoint five school commissioners. He shall appoint one of these commissioners for a term ending January fifteenth, in the year nineteen hundred and twelve, one for a term ending January fifteenth, in the year nineteen hundred and thirteen, one for a term ending January fifteenth, in the year nineteen hundred and fourteen, one for a term ending January fifteenth, in the year nineteen hundred and fifteen, and one for a term ending January fifteenth, in the year nineteen hundred and sixteen. The mayor shall thereafter annually, between the first and the fifteenth day of January, appoint one school commissioner for a term of five years, who shall enter upon the term of his office on the sixteenth day of January, succeeding his appointment. The terms of office of the school commissioners now in office shall cease and terminate upon the appointment of the school commissioners provided for in this section."

Page 81, strike out all of section 167 and insert in place thereof the following:

"§ 167. Chairman of the board. The board of education shall hold a meeting annually on the second Tuesday in January for the purpose of organization and at such meeting shall elect one of their number chairman of such board. In case of the absence of the chairman from the city or his inability from any cause to attend a meeting of such board the other members present may appoint one of their number chairman pro tempore of such meeting."

Page 81, strike out all of line 13 except the word "by" at the beginning of the line. Strike out all of line 14 and insert in place thereof the words "the mayor."

Page 81, strike out the word "of" immediately after the word "duty", line 20, and insert in place thereof the words "or for".

Line 21, strike out the words "common council" and insert in place thereof the words "said board of education".

Line 22, strike out all of line except the word " thirds ".

Line 23, strike out the word " thereof " and insert in place thereof of the words " of said board ".

Page 82, line 2, strike out the words " common council " and insert in place thereof the words " the board of education ".

Line 16, strike out all of line that follows word " board ".

Line 17, strike out all of line.

Line 18, strike out the words " thousand dollars ".

Page 84, line 19, strike out the word " wages " and insert in place thereof the word " salaries ".

Strike out " in " in line 24 and all of line 25 and all of line 26, down to and including the word " districts " and insert in lieu thereof the following: " as provided in the Education Law ".

Page 85, line 1, strike out the words " general school " and insert in place thereof the word " education ".

Page 86, line 17, strike out the words " State Superintendent " and insert in place thereof the words " Commissioner of Education ".

Line 19, strike out the word " all ".

Strike out all of lines 20, 21, 22, 23 and 24 and insert in place thereof the following: " such form and including such information as shall be required by the Commissioner of Education."

Page 87, strike out all of section 179 following the word " schools " in line 20, and insert in place thereof the following: " or for supervisors' quotas the said city shall be entitled to share in all of such moneys on the basis provided in the Education Law for such apportionment to cities."

Page 88, line 19, insert after this line the following: " § 181. Whenever the enrollment of pupils in the public schools of said city shall exceed the enrollment for the school year ending July thirty-first, nineteen hundred and ten, the board of education shall have authority to include in its estimated expenses to the mayor a sum in addition to the fifty thousand dollars provided for in subdivision one of this section an amount equal to twenty-six dollars per capita on the excess of such enrollment over the enrollment for the said year ending July thirty-first, nineteen hundred and eleven."

Line 20, make " 181 " read " 182 ".

Page 89, line 1, strike out all of line that follows the word " annually ".

Strike out all of lines 2 and 3 and insert in place thereof the following: " the same to said city as provided in the Education Law ".

Page 89, strike out all of section 182.

Page 167, line 18, after the word "section" insert the following: "provided, however, that said telephone or electric light company instead of placing its wires in said subways shall have the option of removing its said overhead poles, wires and cables from the streets to be paved to such other street or streets as may be designated by the board of estimate and apportionment which said street or streets shall be such as will form a reasonable and practicable route for said overhead telephone or electric light poles, wires and cables."

Line 24, strike out word "or" and insert in place thereof the word "of".

Page 171, line 15, strike out the word "eight" and insert in place thereof the word "twelve".

Page 190, line 18, strike out syllable "comp-" at end of line.

Line 19, strike out syllable "troller" at beginning of line, and insert in place thereof the word "chamberlain".

Line 24, strike out word "comptroller" and insert in place thereof the word "chamberlain".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Ward offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on codes be discharged from the further consideration of the bill (No. 332, Int. No. 331) entitled "An act to amend the Penal Law, in relation to the sale and possession of weapons and explosives and to impose taxes in respect thereto."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Ward moved to amend as follows:

On page 2, line 3, after the word "or" strike out the words "dangerous explosives" and insert in italics in place thereof the words "or any substance which by ignition propels missiles or rends apart substances."

Line 4 after the word "cartridges" strike out the words "for firearms" and insert in italics in place thereof the words "or fixed ammunition for small arms."

Line 18 after the word "shall" strike out the rest of the line down to and including the word "on", and insert in italics in place thereof the words "keep such record in his or their office or place of business at all times subject, upon proper demand there-

for, to the inspection and examination of the police authorities of the State, county or municipality where such business is carried on."

On page 3, line 3, before the word "five" strike out the word "twenty" and hyphen.

Line 9, after the word "of", strike out the word "three" and insert in italics in place thereof the word "one".

Line 10, strike out the letter "s" in the word "dollars.".

Line 11, strike out the words "for firearms" and insert in italics in place thereof the words "or fixed ammunition for small arms."

Line 17, after the word "cartridges" strike out the words "for firearms" and insert in italics in place thereof the words "or fixed ammunition for small arms."

Page 4, line 1, after the word "character" insert in italics the following: "It shall be the duty of the officer to whom the application for license is made to issue said license provided the applicant has complied with the provision of sections nineteen hundred and fourteen to nineteen hundred and nineteen, inclusive, of this chapter.

Line 18, after the word "found" strike out the word "any" and insert in italics in place thereof the letter "a", and after the word "device" strike out the word "constructed" and insert in italics in place thereof the word "containing."

Line 19, strike out the word "from" and after the word "cartridges" strike out the words "for the use of firearms" and insert in italics in place thereof the words "of fixed ammunition for small arms."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Ward, said bill was ordered printed and recommitted to said committee.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. McCue (No. 976, Int. No. 685), entitled "An act to amend the Greater New York charter, in relation to pensioners holding offices," reported the same without recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. McCue (No. 978, Int. No. 716), entitled "An act to amend the Greater New York charter, in re-

lation to revocation of auctioneers' licenses," reported the same with the following recommendation:

On page 1, line 3, after the word "one" insert the following: "as amended by chapter five hundred and forty of the Laws of nineteen hundred and nine, as amended by chapter five hundred and fifty-three of the Laws of nineteen hundred and ten".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. McCue (No. 977, Int. No. 353) entitled "An act to amend the Greater New York charter, in relation to allowances for blind persons and appropriations therefor, and making temporary provision for raising funds for the present increase of such allowances," reported the same with the following recommendation:

On page 2, line 25, change "certificates of indebtedness" from italic to roman.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bill as correctly printed or engrossed:

"An act to amend the Penal Law, in relation to Sunday observance." (No. 1074, Int. No. 829.)

Mr. Murray offered for the consideration of the House a resolution, in the words following:

Privileged resolution of the Assembly calling for information from the Attorney-General and the Superintendent of Insurance in connection with certain bills introduced at this session of the Legislature.

Whereas, There has existed in the State of New York for some years past a voluntary association of the fire insurance companies doing business in this State known as the Fire Insurance Exchange; and

Whereas, Its exactions in the shape of excessive premiums have resulted in the introduction in the Legislature from time to time of different bills and resolutions for the relief of the public; and

Whereas, The recent legislative investigating committee was instructed in the resolutions creating such committee to investigate this subject and report to this Legislature; and

Whereas, A majority and minority report have been filed by said committee with the Legislature and certain bills have been

introduced in the Assembly by Assemblyman Hoey, the printed number being 403, and by Assemblyman Murray, the printed number being 387, and by Senator T. D. Sullivan in the Senate, the printed number being 279; and

Whereas, The said investigating committee expended the sum of fifty thousand ($50,000) dollars of the taxpayers' money largely for the purpose of investigating this question and it is of the utmost importance to the people of this State that effective and proper legislation should follow such investigation; and

Whereas, One of the bills introduced by Assemblyman Hoey and Senator T. D. Sullivan provide for the review of insurance rates made by the Fire Insurance Exchange by a new department to be created in the office of the Superintendent of Insurance; and

Whereas, Every parcel of real property insured throughout the State has a different rate of insurance and practically every business insured also has a different rate thereby making it altogether improbable that any department of the State could by any mathematical process determine the fair and reasonable rate in any given case upon complaint by a citizen; and

Whereas, The courts of this State have held that insurance was a contract and not a commodity said insurance monopoly may decline to give insurance to any citizen of this State except at the rates fixed by it and in the event that a citizen should complain to the Insurance Department of this State and have his rate reduced he may be unable to obtain insurance, and under the usual clause in mortgages upon real estate, such citizen would be obliged to accept insurance at the rate fixed by the Exchange or lose his property by foreclosure; and

Whereas, A monopoly which has extorted the public to a notorious and outrageous extent is abhorrent to the spirit of our laws and in derogation of the rights of the people; therefore, be it

Resolved, That the following questions be submitted to the Attorney-General of this State for the purpose of obtaining from him a written opinion for the information of the Assembly:

I. Do the anti-monopoly laws of this State cover the making of rates by the voluntary association of the fire insurance companies of this State known as the Fire Insurance Exchange, and if so, has it committed a crime, assuming that such an agreement to fix rates exists?

II. Can the State of New York constitutionally reduce the rates that an insurance company demands for assuming risks?

III. In the event that the insurance company should decline to insure upon a rate determined by the Insurance Department of the State of New York, would the insured have any redress by way of compelling such insurance corporations to assume the risk? be it further

Resolved, That the Superintendent of Insurance be requested to communicate to the Assembly in writing whether or not he or his department could determine whether a certain premium fixed by the insurance company for a risk upon a certain parcel was excessive or was fair and reasonable and in what manner and by what method of mathematical calculation can the reasonableness of a premium be determined and further if this matter is capable of determination by the State, would it not require several years to accumulate sufficient data to make a determination in any and all cases? be it further

Resolved, That the Assembly through its Speaker respectfully submit these questions to the Honorable Attorney-General and to the Honorable Superintendent of Insurance and respectfully request them to communicate to the House through the Speaker in writing, with all convenient speed.

which was referred to the committee on insurance.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Dawson	Haines	McCue	Sheide
Ahern	Day	Hart	McDaniels	Shepardson
Allen	DeLano	Hammond	McElligott	Shlivek
Baumes	Donnelly	Hearn	McKeon	Smith A E
Beach	Drummond	Herrick W R	Merritt	Spielberg
Blauvelt	Ebbetts	Heyman	Miller	Stivers
Boylan	Egan	Higgins	Mork	Sullivan
Brace	Evans	Hinman	Murray	Sweet
Brennan	Farrell	Hoey	Myers	Talmage
Brereton	Fay	Hoff	Neupert	Terry
Bridenbecker	Filley	Hollmann	Nolan	Thorn
Brooks	Fitzpatrick	Hoyt	O'Connor	Trombly
Brown	Foley	Huber	Oliver	Turley
Bryant	Friedman	Jackson	O'Neill J J	Walker
Bush	Fry	Jameson	O'Neil M A	Ward
Butler	Geatons	Jones	Pappert	Waring
Carew	Gerhardt	Kennedy	Parker A	Warren
Caughlan	Gillen	Keys	Parker J S	Washburn
Chanler	Goldberg	Lansing	Patrie	Waters F A
Cheney	Goldstein	LaReau	Phillips C W	Weil
Coffey	Goodman	Lent	Phillips J S	Wende
Collin	Goodwin	Levy J	Pierce	Wheeler
Colné	Gould	Lincoln	Saunders	Wilson
Connell	Graubard	Macdonald	Schifferdecker	Yale
Constantine	Gray	MacGregor	Seeley	Yeomans
Cosad	Gregg	Manley	Shannon	Zorn
Cross	Gurnett	Martin	Shea	Speaker
Cuvillier	Hackett			

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Black	Fiero	Harte	O'Brien	Sanner	
Cronin	Frawley	Long	Pollock	Stilwell	
Cullen	Gittins	McClelland	Ramsperger	Wagner	
Ferris	Griffin	Murtaugh			18

FOR CHAUNCEY M. DEPEW.

Argetsinger	Emerson	Ormrod	Sage	Travis	
Bussey	Hewitt	Platt	Thomas	Walters	
Cobb	Hinman	Rose			13

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR M. J. O'BRIEN.

Loomis	Saxe	2

FOR WILLIAM SULZER.

White	1

FOR J. J. HOPPER.

Duhamel	1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Allen with Mr. McManus; Mr. Coats with Mr. Bayne; Mr. Harden with Mr. Heacock; Mr. Wainwright with Mr. T. D. Sullivan; Mr. Hamilton with Mr. C. D. Sullivan.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gregg	Manley	Schifferdecker
Boylan	Fitzpatrick	Gurnett	McCue	Seeley
Brennan	Foley	Hackett	McElligott	Sheide
Bush	Frisbie	Hearn	McKeon	Smith A E
Carew	Geatons	Herrick W R	Mork	Spielberg
Caughlan	Gerhardt	Heyman	Neupert	Turley
Collin	Gillen	Hoey	Oliver	Walker
Cuvillier	Goldberg	Jackson	O'Neill J J	Washburn
Dawson	Goldstein	Jameson	O'Neil M A	Weil
Donnelly	Gould	Le Roy	Parker A	Wende
Egan	Graubard	Levy J	Patrie	Zorn
Farrell				56

FOR CHAUNCEY M. DEPEW.

Adler	Connell	Higgins	Murray	Stivers
Ahern	Cross	Hinman	Nolan	Sullivan
Allen	DeLano	Hoff	Pappert	Sweet
Baumes	Ebbetts	Jones	Parker J S	Talmage
Brereton	Filley	Keyes	Phillips C W	Thorn
Brooks	Goodwin	Lansing	Phillips J S	Ward
Brown	Goodwin	Lent	Pierce	Wering
Bryant	Gray	Lincoln	Shannon	Waters F A
Butler	Haines	Macdonald	Shea	Wilson
Cheney	Hammond	MacGregor	Shepardson	Yale
Coffey	Hart	Merritt	Shlivek	Yeomans
Colné				56

FOR ALTON B. PARKER.

McDaniels	1

FOR MARTIN H. GLYNN.

Saunders	1

FOR JOHN D. KERNAN.

Cosad	Miller	2

FOR MARTIN W. LITTLETON.

Beach	Drummond	Fry	Huber	Terry	
Brace	Evans	Hollmann	Kennedy	Trombly	
Bridenbecker	Friedman	Hoyt	Martin	Wheeler	
Day					16

FOR M. J. O'BRIEN.

Chanler	Shortt	2

FOR WILLIAM SULZER.

Myers	1

FOR J. J. HOPPER.

O'Connor	1

When the roll was called the following pairs were announced: Mr. Donovan with Mr. Constantine; Mr. Gerken with Mr. Kopp; Mr. J. J. Herrick with Mr. T. K. Smith; Mr. A. J. Levy

with Mr. R. B. Waters; Mr. McGrath with Mr. White; Mr. Monczynski with Mr. Winters; Mr. Warren with Mr. Young.

Whole number of votes cast	173
Necessary to a choice	87

	Senators.	Assemblymen.	Total.
For William F. Sheehan	18	56	74
For Chauncey M. Depew	13	56	69
For Alton B. Parker	0	1	1
For Martin W. Littleton	2	16	18
For Martin H. Glynn	0	1	1
For John D. Kernan	0	2	2
For M. J. O'Brien	2	2	4
For William Sulzer	1	1	2
For John J. Hopper	1	1	2

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew, whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Wednesday, March 15th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Wednesday, March 15th, at 12 o'clock noon in the Assembly Chamber.

Mr. Speaker announced the special order, being the bill (No. 730, Int. No. 94), entitled "An act to amend the Penal Law, in relation to Sunday baseball."

Debate was had thereon, when Mr. A. E. Smith moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

On motion of Mr. McGrath, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 65
NOES 73

Those who voted in the affirmative were:

Adler	Farrell	Hearn	McElligott	Schifferdecker
Blauvelt	Fay	Herrick W R	McGrath	Sheide
Boylan	Fitzpatrick	Heyman	McKeon	Shlivek
Brennan	Foley	Hoey	Mork	Smith A E
Brooks	Geatons	Jackson	Myers	Spiel'b rg
Carew	Gerhardt	Jameson	Neupert	Sullivan
Caughlan	Gillen	Jones	Nolan	Terry
Chanler	Goldberg	Kennedy	O'Connor	Turley
Cuvillier	Goldstein	Kopp	Oliver	Walker
Dawson	Goodman	Levy J	O'Neill J J	Warren
Day	Gould	MacGregor	O'Neil M A	Weil
Donnelly	Graubard	Manley	Pappert	Wende
Egan	Hackett	McCue	Parker A	Zorn

Those who voted in the negative were:

Ahern	Connell	Hart	McDaniels	Stivers
Allen	Cosad	Hammond	Merritt	Sweet
Baumes	Cross	Higgins	Miller	Talmage
Beach	DeLano	Hinman	Murray	Thorn
Brace	Drummond	Hoff	Parker J S	Trombly
Brereton	Ebbetts	Hollmann	Patrie	Ward
Bridenbecker	Evans	Hoyt	Phillips C W	Waring
Brown	Filley	Huber	Phillips J S	Washburn
Bryant	Friedman	Keys	Pierce	Waters F A
Bush	Fry	Lansing	Saunders	Wheeler
Butler	Goodwin	LaReau	Seeley	Wilson
Cheney	Gray	Lent	Shannon	Yale
Coffey	Gregg	Lincoln	Shea	Yeomans
Collin	Gurnett	Macdonald	Shepardson	Speaker
Colné	Haines	Martin		

Mr. McGrath moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 973, Int. No. 290) entitled "An act to amend the Public Health Law, in relation to statements in prescriptions by physicians," was read the second time.

On motion of Mr. Turley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 865, Int. No. 784) entitled "An act to amend the Code of Civil Procedure, in relation to verification of answers in actions for divorce," was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 624, Int. No. 596) entitled "An act to amend section two hundred and seventy-one of the Code of Criminal Procedure to furnish the defendant in a criminal action with a transcript of the grand jury minutes in certain cases," was read the second time.

On motion of Mr. Weil, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1021, Int. No. 734) entitled "An act to amend section two hundred and eighty of the Penal Law, in relation to corporation not to practice law," was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1022, Int. No. 295) entitled "An act to amend the Insanity Law, relative to the retirement of employees of State hospitals for the insane," having been announced,

Mr. O'Connor moved to recommit said bill to the committee on public institutions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1075, Int. No. 56) entitled "An act to amend, consolidate and revise the several acts relative to the city of Amsterdam," was read the second time.

On motion of Mr. Brace, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 468, Int. No. 459) entitled "An act to amend the General Business Law, in relation to the certification of public accountants," having been announced,

Mr. Egan moved that said bill be recommitted to the commit-

tee on general laws, with instructions to report the same forthwith, amended as follows:

On page 2, line 2, after the word "than" strike out the word "four" and insert in place thereof the word "ten".

On same page, line 4, after the word "called" strike out the word "bookkeeping" and insert thereof the word "accounting."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Shortt, from the committee on general laws, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 532, Int. No. 516) entitled "An act to amend the General Municipal Law, in relation to examiners of accounts of municipalities," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Tormbly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler

Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 105, Int. No. 105) entitled "An act to amend the Highway Law, in relation to the courses and descriptions of route six of the State highway system," having been announced for a third reading,

Debate was had thereon.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 56
NOES 65

Those who voted in the affirmative were:

Baumes	Day	Huber	Miller	Sweet
Beach	Drummond	Jackson	Mork	Talmage
Blauvelt	Ebbetts	Kennedy	Myers	Terry
Brace	Evans	Kopp	O'Connor	Thorn
Brennan	Foley	Lansing	Parker A	Tormbly
Bridenbecker	Friedman	LaReau	Patrie	Turley
Brooks	Fry	MacGregor	Saunders	Waring
Chanler	Gregg	Manley	Seeley	Warren
Cheney	Herrick W R	Martin	Sheide	Weil
Colné	Hollmann	McDaniels	Smith A E	Wheeler
Connell	Hoyt	McElligott	Spielberg	Zorn
Cosad				

Those who voted in the negative were:

Adler	Cross	Goodman	Lent	Pierce
Ahern	Cuvillier	Graubard	Lincoln	Schifferdecker
Allen	Dawson	Gurnett	McGrath	Shannon
Boylan	DeLano	Hackett	McKeon	Shea
Brereton	Donnelly	Hart	Merritt	Shepardson
Brown	Farrell	Hearn	Murray	Shlivek
Bryant	Fay	Heyman	Neupert	Stivers
Bush	Filley	Higgins	Oliver	Sullivan
Butler	Fitzpatrick	Hoey	O'Neill J J	Ward
Carew	Geatons	Hoff	Pappert	Waters F A
Caughlan	Gillen	Jameson	Parker J S	Wilson
Coffey	Goldberg	Jones	Phillips C W	Yale
Collin	Goldstein	Keys	Phillips J S	Yeomans

Mr. Cosad moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1018, Int. No. 34) entitled "An act to amend the Highway Law, relative to a renewal license of chauffeurs," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 317, Int. No. 316) entitled "An act to amend the Public Health Law, in relation to qualifications for the practice of veterinary medicine and surgery," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 80
NOES 24

Those who voted in the affirmative were:

Ahern	Drummond	Hart	McCue	Saunders
Boylan	Ebbetts	Hearn	McDaniels	Schifferdecker
Brace	Egan	Herrick W R	McElligott	Sheide
Brennan	Evans	Heyman	McGrath	Smith A E
Brereton	Farrell	Higgins	McKeon	Talmage
Brooks	Fay	Hoey	Myers	Thorn
Carew	Fitzpatrick	Hoff	Neupert	Trombly
Caughlan	Foley	Hoyt	Nolan	Turley
Chanler	Friedman	Huber	O'Connor	Walker
Cheney	Geatons	Jackson	O'Neill J J	Washburn
Coffey	Gerhardt	Jameson	O'Neil M A	Waters F A
Collin	Gillen	Kennedy	Pappert	Weil
Cosad	Gould	Keys	Parker A	Wheeler
Cuvillier	Gregg	Lincoln	Parker J S	Yale
Dawson	Hackett	Manley	Phillips C W	Zorn
Donnelly	Haines	Martin	Pierce	

Those who voted in the negative were:

Beach	Gurnett	Lansing	Phillips J S	Ward
Bush	Hammond	MacGregor	Shannon	Waring
Butler	Hinman	Merritt	Shepardson	Wende
DeLano	Hollmann	Murray	Stivers	Wilson
Goodwin	Kopp	Patrie	Sullivan	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 542, Int. No. 525) entitled "An act to amend the Personal Property Law and the Lien Law, in relation to liens upon merchandise and the proceeds thereof created by agreement for the purpose of securing the repayment of loans or advances upon the security of said merchandise," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 589, Int. No. 567) entitled "An act to amend the charter of the city of Cortland, in relation to street and other public improvements, street sprinkling and sewers, in said city, and the issuance and sale of city bonds for purposes relating thereto," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende

Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 908, Int. No. 819) entitled "An act to amend the charter of the city of Cortland, in relation to the collection of ashes and garbage in said city," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 885, Int. No. 795) entitled "An act to amend chapter six hundred and fifty of the Laws of nineteen hundred and four, entitled 'An act to revise the charter of the city of Rome,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 671, Int. No. 636) entitled "An act to amend chapter one hundred and forty-nine of the Laws of nineteen hundred and eight, entitled 'An act to provide for the celebration of the tercentenary of the discovery of Lake Champlain, the appointment of a commission, prescribing its powers and duties and making an appropriation therefor,' as amended by chapter forty-four

of the Laws of nineteen hundred and ten, relative to the powers and duties of said commission and extending the time for making its report to the Legislature and reappropriating the unexpended balance of the appropriation made by chapter four hundred and thirty-three of the Laws of nineteen hundred and nine," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvilier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 55, Int. No. 55) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section six of article three of the Constitution, in relation to the compensation of members of the Legislature," was read the third time, hav-

ing been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 643, Int. No. 611) entitled "An act reappropriating the unexpended balance of the appropriation heretofore made to the New York Interstate Bridge Commission and making an additional appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 710, Int. No. 674) entitled "An act to legalize, ratify and confirm bonds of the city of Buffalo, heretofore authorized and issued," having been announced for a third reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 531, Int. No. 515) entitled "An act to protect the purity of the water supply of Rensselaer Water Company," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollman	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 358, Int. No. 351) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section two of article six of the Constitution, in relation to assignment of justices of the Supreme Court to hold Special and Trial Terms," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 698, Int. No. 662) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding a certain temporary nonnegotiable certificate of indebtedness heretofore issued to secure the purchase price of property to be used for street and park purposes in said city," was read the third time, having been printed and upon the desks of the members in

its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 974, Int. No. 403) entitled "An act to amend the Public Service Commissions Law, in relation to the issuance of free passes, or franks, by telephone or telegraph companies," having been announced,

Mr. Patrie moved that said bill be recommitted to the committee on general laws, with instructions to report the same forthwith, amended as follows:

Line 8, page 1, strike out the word "charter" and insert the word "chapter".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Shortt, from the committee on general laws, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 480, Int. No. 468) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John M. Shultz against the State for damages alleged to have been sustained by him and to render judgment therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 457, Int. No. 448) entitled "An act to amend the Penal Law, in relation to persons conducting business under an assumed name," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 672, Int. No. 637) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of certain sewers and a sewage disposal plant therefor and to the issue of bonds therefor," having been announced for a third reading,

On motion of Mr. Foley, and by unanimous consent, said bill

was ordered placed on the third reading calendar for Thursday next.

The bill (No. 640, Int. No. 608) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the department of police in said city," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Allen	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Tormbly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 701, Int. No. 665) entitled "An act to amend chapter eighty-four of the Laws of nineteen hundred and nine, entitled 'An act authorizing the city of Buffalo to issue its bonds for

the construction and equipment of new school buildings,' so as to authorize the use of the proceeds of said bonds for the purchase of lands and increase the limit on the rate of interest on such bonds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Allen	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 660, Int. No. 625) entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and six, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village,' relative to village boundaries," was read the third time, having been printed and upon the desks of the

members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Allen	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Frareton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March* 14, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 430, Int. No. 425), entitled "An act to amend the Judiciary Law, in relation to jurors in New York county."

JOHN A. DIX.

Said bill having been amended, Mr. A. E. Smith moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Mr. A. E. Smith moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith, amended as follows:

Page 1, line 6, strike out the word "term" and insert "time".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. A. J. Levy, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the bill (No. 150, Senate reprint No. 592,

Int. No. 149), entitled "An act providing for the relief of certain taxpayers of the city of Buffalo by placing the cost of acquiring lands for the extension of Laurel street in said city upon the general fund," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 1, strike out the word "one" and insert in place thereof the word "two".

Page 1, line 1, strike out the word "and" and insert in place thereof the words "six hundred".

Page 1, line 2, strike out the words "eighty-five" and insert the words "and fifty-eight".

Page 1, line 9, strike out the figure "3" and insert "2".

Mr. MacGregor moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A
Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

By unanimous consent, Mr. Wende offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on internal affairs be discharged from the further consideration of Senate bill (No. 670, Rec. No. 70), entitled "An act to legalize the proceedings of the board of supervisors had on the twenty-eighth day of June, nineteen hundred and ten, authorizing the issue and sale of certain bonds of the county of Erie, known as Erie county good roads bonds."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Wende, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Wende, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McCue	Shea
Ahern	DeLano	Hammond	McDaniels	Sheide
Baumes	Donnelly	Hearn	McElligott	Shepardson
Beach	Ebbetts	Herrick W R	McKeon	Shlivek
Blauvelt	Egan	Heyman	Merritt	Smith A E
Boylan	Evans	Higgins	Miller	Stivers
Brace	Fay	Hinman	Mork	Sullivan
Brereton	Filley	Hoey	Murray	Sweet
Bridenbecker	Fitzpatrick	Hoff	Myers	Talmage
Brooks	Foley	Hollmann	Neupert	Terry
Brown	Friedman	Hoyt	Nolan	Thorn
Bryant	Fry	Huber	O'Connor	Trombly
Bush	Geatons	Jackson	O'Neill J J	Walker
Butler	Gerhardt	Jameson	O'Neil M A	Ward
Carew	Gillen	Jones	Pappert	Waring
Caughlan	Goldberg	Kennedy	Parker A	Warren
Chanler	Goldstein	Keys	Parker J S	Washburn
Cheney	Goodman	Lansing	Patrie	Waters F A

Coffey	Goodwin	LaReau	Phillips C W	Weil
Collin	Gould	Levy J	Phillips J S	Wende
Colné	Graubard	Lincoln	Pierce	Wheeler
Connell	Gray	Macdonald	Saunders	Wilson
Cosad	Gregg	MacGregor	Schifferdecker	Yale
Cross	Gurnett	Manley	Seeley	Yeomans
Cuvillier	Hackett	Martin	Shannon	Zorn
Dawson	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 73, reprint No. 802, Int. No. 74), entitled "An act to legalize, ratify and confirm the proceedings of the village of Cherry Creek in the county of Chautauqua, in the matter of raising the sum of thirty thousand dollars for the construction of a pressure water system for said village; to legalize, ratify and confirm the sale and issuance of the bonds of said village in the amount of twenty-five thousand dollars of said sum; to authorize the sale and issuance of the bonds of said village for the balance thereof; and to provide for the payment of the interest and principal of said bonds," with a message that they have reconsidered their vote by which said bill passed and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Assembly bill (No. 44, Senate reprint No. 624, Int. No. 44), entitled "An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds in the sum of two million dollars for the purpose of acquiring additional park lands and lands along the water front and improving the same,' authorizing the use of a part of the proceeds of the sale or sales of said bonds for improvements on park lands heretofore acquired by said city."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

The Senate returned the bill (No. 13, Int. No. 13), entitled "An act to amend chapter two hundred and twenty-two of the Laws of eighteen hundred and seventy-nine, entitled 'An act to consolidate the several school districts in the town of Grand Island, Erie county, and to provide for the election of a board

of education therein,' by adding two new sections with reference to distribution of funds."

Also, the bill (No. 11, Int. No. 11), entitled "An act to authorize the board of education of union free school district number four of the town of Rye, in the county of Westchester, to issue certificates of indebtedness for unpaid school taxes, and to provide for the payment of such certificates."

Also, the bill (No. 585, Int. No. 563), entitled "An act to amend chapter two hundred and sixty-eight of the Laws of eighteen hundred and ninety-one, entitled 'An act in relation to the office of sheriff in the county of Columbia,' in relation to the salary and disbursements of the sheriff," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

Also, the bill (No. 486, Int. No. 474), entitled "An act to amend the Tonawanda city charter, generally, and to repeal section five of title two of such charter," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Tonawanda.

On motion of Mr. A. E. Smith, the House adjourned.

WEDNESDAY, MARCH 15, 1911.

The House met pursuant to adjournment.

Prayer by Rev. S. H. Goldenson.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Superintendent of Banks, which was laid upon the table and ordered printed.

(See Senate Document No. 18.)

Mr. Evans introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for deer" (Int. No. 991), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Fry introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to examination of machinery before trial" (Int. No. 992), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to substitutes for personal service on domestic corporations in certain cases" (Int. No. 993), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Judiciary Law, in relation to the enforcement of attorney's liens in certain cases" (Int. No. 994), which was read the first time and referred to the committee on the judiciary.

Mr. Geatons introduced a bill entitled "An act to amend the Greater New York charter, in relation to providing a permanent retirement and pension fund for the benefit of stationary and marine steam engineers, janitor engineers, janitors handling steam plants, boiler water tenders, enginemen, oilers, firemen and stokers in the employ of the city of New York" (Int. No. 995), which was read the first time and referred to the committee on affairs of cities.

Mr. Gillen introduced a bill entitled "An act to authorize the board of assessors of the city of New York to permit and allow the damages sustained by owners of property fronting upon or situated in streets approaching the Manhattan bridge over the East river in said city" (Int. No. 996), which was read the first time and referred to the committee on affairs of cities.

Mr. W. R. Herrick introduced a bill entitled "An act to amend the Code of Civil Procedure, relative to the manner of serving citations on judicial accounting where the number of persons to be served exceed fifty" (Int. No. 997), which was read the first time and referred to the committee on codes.

Mr. Jackson introduced a bill entitled "An act to provide for a suitable representation of the State of New York at the national encampment of the American Veterans of Foreign Service to be held in the city of Buffalo, during the year nineteen hundred and eleven, and making an appropriation for the expenses of each encampment" (Int. No. 998), which was read the first time and referred to the committee on ways and means.

Mr. Jones introduced a bill entitled "An act to amend the Legislative Law, in relation to the publication of constitutional amendments in the annual volumes of the Session Laws" (Int. No. 999), which was read the first time and referred to the committee on the judiciary.

Mr. McElligott introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the service of citation directed to the Attorney-General in a proceeding to dispose of decedent's real property for payment of debts" (Int. No. 1000), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to notice of public auction directed to be given to the Attorney-General in a proceeding to dispose of decedent's real property for payment of debts" (Int. No. 1001), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to a proceeding brought by the Attorney-General to compel an executor or administrator to pay a distributive share" (Int. No. 1002), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to service of citation directed to the Attorney-General in a voluntary accounting by an executor or administrator" (Int. No. 1003), which was read the first time and referred to the committee on codes.

Mr. A. Parker introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to service of a citation directed to the Attorney-General upon petition for probate of a will" (Int. No. 1004), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to an intermediate accounting of an executor or administrator upon petition of the Attorney-General" (Int. No. 1005), which was read the first time and referred to the committee on codes.

Mr. Patrie introduced a bill entitled "An act to amend chapter five hundred and fifty-seven, Laws of eighteen hundred and ninety-four, entitled 'An act to provide for a commission of jurors

in counties containing cities of from ninety to ninety-six thousand inhabitants,' as amended by chapter six hundred and seventy-nine, Laws of eighteen hundred and ninety-six, by excepting the county of Rensselaer from the operation thereof" (Int. No. 1006), which was read the first time and referred to the committee on general laws.

Mr. Shortt introduced a bill entitled "An act to amend the Tax Law, relative to the making of special franchise valuations by the State Board of Tax Commissioners" (Int. No. 1007), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Greater New York charter, in relation to the levying and collection of taxes and water rates" (Int. No. 1008), which was read the first time and referred to the committee on affairs of cities.

Mr. A. E. Smith introduced a bill entitled "An act making an appropriation for the protection of forests from fire" (Int. No. 1009), which was read the first time and referred to the committee on ways and means.

Mr. Warren introduced a bill entitled "An act to amend the Penal Law, relative to possession and sale of trade-marked articles" (Int No. 1010), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to service of citation directed to the Attorney-General upon petition for letters of administration" (Int. No. 1011), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to the proceedings upon the judicial settlement of an accounting of an executor, or administrator upon petition of the Attorney-General, and to compel such accounting" (Int. No. 1012), which was read the first time and referred to the committee on codes.

Mr. Washburn introduced a bill entitled "An act to establish a public school teachers' retirement fund in Ulster county" (Int. No. 1013), which was read the first time and referred to the committee on public education.

Also, "An act to amend chapter seven hundred and twenty-four of the Laws of nineteen hundred and five, entitled 'An act to pro-

vide for an additional supply of pure and wholesome water for the city of New York; and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters, and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects,' in relation to the construction, reconstruction, alteration or changing of the sanitary sewers of the city of Kingston, known as the first and eighth ward sewage system" (Int. No. 1014), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter seven hundred and forty-seven of the Laws of eighteen hundred and ninety-six, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' generally" (Int. No. 1015), which was read the first time and referred to the committee on affairs of cities.

Mr. Wende introduced a bill entitled "An act to authorize the acquisition of a site for, and the construction of a new courthouse and public building in and for the county of Erie, and the transfer of the county's interest in the city and county hall in the city of Buffalo to said city, and to create a commission to carry such purposes into effect" (Int. No. 1016), which was read the first time and referred to the committee on affairs of cities.

Mr. Zorn introduced a bill entitled "An act authorizing the board of assessors of the city of New York to determine and allow damages sustained by owners of real property in the city of New York by reason of the change of grade on any street in said city caused by the improvement of the Queens borough bridge, and making all damages so allowed a city charge" (Int. No. 1017), which was read the first time and referred to the committee on affairs of cities.

Mr. Gillen introduced a bill entitled "An act to amend the Greater New York charter, in relation to compensation of foremen of laborers in all departments of the city of New York" (Int. No. 1018), which was read the first time and referred to the committee on affairs of cities.

Mr. Manley introduced a bill entitled "An act to provide for

the repair and improvement of existing mechanical and other structures and works on and connected with the canals of the State" (Int. No. 1019), which was read the first time and referred to the committee on ways and means.

Mr. Fay introduced a bill entitled "An act to amend chapter five hundred and sixty-four of the Laws of nineteen hundred and two, entitled 'An act in relation to jurors, and to the appointment and duties of a commissioner of jurors in the county of Kings'" (Int. No. 1020), which was read the first time and referred to the committee on general laws.

Mr. O'Connor introduced a bill entitled "An act to amend the Insanity Law, in relation to the review of proceedings committing a person to a State hospital" (Int. No. 1021), which was read the first time and referred to the committee on general laws.

Mr. Miller introduced a bill entitled "An act to amend the Personal Property Law, in relation to providing for trusts for the care of cemetery and private burial lots outside of cemeteries" (Int. No. 1022), which was read the first time and referred to the committee on general laws.

Mr. McElligott introduced a bill entitled "An act to amend the Greater New York charter, relative to the licensing of dogs" (Int. No. 1023), which was read the first time and referred to the committee on affairs of cities.

Mr. Chanler introduced a bill entitled "An act to amend chapter six hundred and forty-three of the Laws of nineteen hundred and seven, entitled 'An act to establish a police pension fund for the city of Poughkeepsie,' in relation to the investment of the police pension fund and to provide for additional sources of income for said fund, and for a treasurer's bond" (Int. No. 1024), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter four hundred and twenty-five of the Laws of eighteen hundred and ninety-six, entitled 'An act to amend the charter of the city of Poughkeepsie,' generally" (Int. No. 1025), which was read the first time and referred to the committee on affairs of cities.

Mr. Fay introduced a bill entitled "An act to amend the State Boards and Commissions Law, in relation to the powers and duties

of the State Water Supply Commission in respect to extensions of water works systems" (Int. No. 1026), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Sullivan introduced a bill entitled "An act to validate warrants for the collection of taxes, generally, and legalize proceedings taken under such warrants" (Int. No. 1027), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Brereton introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to trolling in Lake George" (Int. No. 1028), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Coffey (No. 38, Int. No. 38), entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of public officers in the city of Mount Vernon."

Also, Assembly bill introduced by Mr. Coffey (No. 1010, Int. No. 911), entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' relating to general financial provisions, local improvements, condemnation proceedings and area of assessment."

Also, Assembly bill introduced by Mr. Filley (No. 396, Int. No. 387), entitled "An act to amend section sixty, chapter fifty-five of the Laws of nineteen hundred and nine, being the Second Class Cities Law, entitled 'An act in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws,' relating to temporary and funded debts, as amended by chapter six hundred and ninety-two of the Laws of nineteen hundred and ten."

Also, Assembly bill introduced by Mr. Foley (No. 1046, Int. No. 942), entitled "An act to amend the Greater New York charter, in relation to the designation by the comptroller of the assistant deputy comptroller or a clerk to sign warrants drawn upon the city chamberlain."

Also, Assembly bill introduced by Mr. Foley (No. 1047, Int. No. 943), entitled "An act to amend the Greater New York charter, in relation to notes to be issued in anticipation of the sale of corporate stock."

Also, Assembly bill introduced by Mr. Gerhardt (No. 473, Int. No. 461), entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relating to the designation of an official newspaper."

Also, Assembly bill introduced by Mr. Hearn (No. 706, Int. No. 670), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to purchase lots, and to erect, construct, complete, enlarge and equip buildings for the use of the police and fire departments of said city."

Also, Assembly bill introduced by Mr. Hinman (No. 849, Int. No. 768), entitled "An act to amend chapter five hundred and fifty-four of the Laws of eighteen hundred and ninety-nine, entitled 'An act to establish a police pension fund for the city of Albany,' relative to regulating pensions and increasing same."

Also, Assembly bill introduced by Mr. Jones (No. 967, Int. No. 876), entitled "An act to amend chapter two hundred and fifty-eight of the Laws of nineteen hundred and seven, entitled 'An act to provide for a police pension fund for the police force of the city of Watertown,' in relation to the composition of such fund."

Also, Assembly bill introduced by Mr. M. A. O'Neil (No. 996, Int. No. 897), entitled "An act to amend the Greater New York charter, relative to the fixing, determining upon and establishing line of high water and relative to the sale and exchange of lands and lands under water in connection therewith."

Also, Assembly bill introduced by Mr. Wende (No. 811, Int. No. 741), entitled "An act relating to the salaries of the members of the board of school examiners of the city of Buffalo."

Also, Assembly bill introduced by Mr. Hammond (No. 989, Int. No. 889), entitled "An act to amend chapter six hundred and eighty-four of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' relative to the laying of dust in the streets of said city."

Also, Assembly bill introduced by Mr. Dawson (No. 702, Int. No. 666), entitled "An act to legalize, ratify and confirm the acts and proceedings of the comptroller and other officers and boards of the city of Buffalo, creating, investing and reinvesting certain railroad grade crossing bond sinking funds, and to provide for the payment of grade crossing bonds."

Also, Assembly bill introduced by Mr. Higgins (No. 167, Int. No. 166), entitled "An act to amend the Greater New York charter, in relation to licensing operators of moving picture apparatus and its connections."

Also, Assembly bill introduced by Mr. Bush (No. 537, Int. No. 520), entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to ward boundaries."

Also, Assembly bill introduced by Mr. MacGregor (No. 997, Int. No. 896), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the expenses of attendance upon conventions and conferences."

Also, Assembly bill introduced by Mr. Mork (No. 713, Int. No. 677), entitled "An act to amend the Greater New York charter, in relation to local improvements, giving the local boards power to cause the curbing and recurbing of sidewalks, the construction of gutters, receiving basins and inlets within their respective districts in the city of New York, when the expenses to be incurred do not exceed the sum of two thousand dollars."

Also, Assembly bill introduced by Mr. Wende (No. 642, Int. No. 610), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the police pension fund of said city."

Also, Assembly bill introduced by Mr. McGrath (No. 149, Int. No. 148), entitled "An act to amend the Greater New York charter, so as to provide for a relief and pension fund for the benefit of the members of the clerical and uniformed forces of the department of street cleaning."

Also, Assembly bill introduced by Mr. Cheney (No. 759, Int.

No. 697), entitled "An act to amend chapter four hundred and seventy-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the city of Olean,' generally."

Also, Assembly bill introduced by Mr. Jackson (No. 991, Int. No. 892), entitled "An act to amend the General Business Law, in relation to licensing pawnbrokers in certain cities," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill (No. 1048, Int. No. 944) introduced by Mr. Foley, entitled "An act to amend the Greater New York charter, in relation to the issue of corporate stock," reported in favor of the passage of the same, with the following amendment:

Page 7, line 2, insert after the words "one hundred and eighty-seven" the following: "and one hundred and eighty-nine."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. McGrath (No. 670, Int. No. 635), entitled "An act authorizing the board of estimate and apportionment of the city of New York to hear, determine and audit, and the comptroller to pay, the claim of Edward F. Croker," reported the same with the following amendments:

Page 1, line 4, strike out the words "he was compelled".

Line 5, strike out the words "to expend to protect and defend" and insert in place thereof the following: "expended in protecting and defending".

Line 7, strike out the word "twenty" at end of line, and insert in place thereof the word "first".

Line 8, strike out the words "eighth day of November" and insert in place thereof the following: "day of December".

Page 2, line 5, strike out the words "was wrongfully compelled to ex-", and insert in place thereof the following: "incurred certain expenses".

Line 6, strike out the syllable "pend" and the word "moneys" at beginning of line.

Line 14, strike out the words "the amount necessarily" and

insert in place thereof the following: "such amount of money as may have been reasonably and properly".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Foley, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Boylan (No. 981, Int. No. 382), entitled "An act to amend the General City Law, in relation to elevators in cities of the first class," reported the same with the following amendment:

Page 2, line 6, after the word "metal" insert the following: "All elevators with covered tops or roofs shall be provided with a properly constructed trap-door in the top or roof of each of said elevators in order that passengers or employees may have an exit therefrom in case of accident.

"All elevators shall be provided with an automatic locking device that will hold the elevator immovable and secure while any gate, door or opening intended for or used as an entrance thereto or an exit therefrom may be open and unsecured."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Foley, from the committee on affairs of cities, to which was referred Senate bill introduced by Mr. Ramsperger (No. 44, Rec. No. 44), entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' with regard to the election and qualification of judges of said court."

Also, Senate bill introduced by Mr. Ramsperger (No. 366, Rec. No. 43), entitled "An act relating to the private use and occupation of a part of Van Rensselaer street in the city of Buffalo underneath a viaduct structure which carries the roadway of said street over its former grade."

Also, Senate bill introduced by Mr. Ramsperger (No. 590, Rec. No. 62), entitled "An act to amend the Greater New York charter, in relation to notice to be given to the people of the State of New York and to the city of New York on the foreclosure of tax liens," reported in favor of the passage of the

same without amendment, which reported was agreed to, and said bills placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Walker (No. 331, Int. No. 330), entitled "An act to amend the Civil Service Law, in relation to the qualifications of persons appointed or employed in the civil service," reported the same with the following amendments:

Page 2, line 1, after the word "State" insert a period.
Page 2, line 1, strike out "or of such civil".
Page 2, line 2, strike out words "division or city, as the case may be".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Chanler (No. 972, Int. No. 881), entitled "An act to amend chapter eighty-two of the Laws of nineteen hundred and three, entitled 'An act to make the office of sheriff of Dutchess county a salaried office, and to regulate the management of said office,' in relation to the compensation of the janitor and bookkeeper in the office of said sheriff."

Also, Assembly bill introduced by Mr. Trombly (No. 153, Int. No. 152), entitled "An act to amend the Highway Law, in relation to State and county highways in cities of the third class."

Also, Assembly bill introduced by Mr. Wende (No. 868, Int. No. 787), entitled "An act to amend chapter one hundred and seventy-three of the Laws of eighteen hundred and ninety-five, entitled 'An act fixing the fiscal year, providing for a county auditor, and regulating the purchase of supplies for the county institutions and officers of the county of Erie,' generally."

Also, Assembly bill introduced by Mr. Wheeler (No. 948, Int. No. 857), entitled "An act to amend the Highway Law, in relation to the removal of weeds, brush and obstructions from the highways."

Also, Assembly bill introduced by Mr. Seeley (No. 903, Int. No. 813), entitled "An act to amend the Highway Law, in relation to the course and description of State route number four."

Also, Assembly bill introduced by Mr. Sweet (No. 183, Int. No. 182), entitled "An act to amend chapter one hundred and eighteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of county clerk of Oswego county a salaried office, and regulating the management of said office, and fixing the salary of said clerk and his assistants,' in relation to the salaries of the special deputy and court clerk and index clerk, in said county."

Also, Assembly bill introduced by Mr. Sweet (No. 277, Int. No. 275), entitled 'An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and nine, entitled 'An act to make the office of the sheriff of the county of Oswego a salaried office and to regulate the management thereof,' generally."

Also, Assembly bill introduced by Mr. Hinman (No. 943, Int. No. 852), entitled "An act to enable the board of supervisors of the county of Albany to grant an easement in or convey or lease a plot of ground, sufficient and adequate in size from the portion of real estate of which Albany county is now seized and possessed, known as the 'Albany Penitentiary Property' for the purpose and to be used for the erection of a building or buildings of the Albany Medical College."

Also, Assembly bill introduced by Mr. Hinman (No. 944, Int. No. 853), entitled "An act to enable the board of supervisors of the county of Albany to sell and convey to the city of Albany all the right and title and interest of which the county of Albany is now seized and possessed in and to the real estate known as the city hall, in the city of Albany, for the purpose of acquiring funds to be used in the erection of a courthouse in and for the county of Albany."

Also, Assembly bill introduced by Mr. Jones (No. 966, Int. No. 875), entitled "An act to legalize, ratify and confirm certain bonds of the town of Philadelphia, Jefferson county, to be issued for bridge purposes and to legalize, ratify and confirm all proceedings in relation to the issuance and sale thereof; to regulate the delivery of such bonds and provide for their payment," reported in favor of the passage of the same without amendment,

which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Senate bill introduced by Mr. Hewitt (No. 321, Rec. No. 51), entitled "An act to amend the County Law, in relation to the compensation of supervisors and assessors in attending meetings of the State Board of Tax Commissioners," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Martin, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. DeLano (No. 394, Int. No. 385), entitled "An act to amend chapter four hundred and seventy-nine of the Laws of eighteen hundred and ninety-five, entitled 'An act to establish a police and fire department in the village of Canastota, Madison county,' in relation to the compensation of the chief of police, policemen and special patrolmen," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Wende, from the committee on labor and industries, to which was referred Assembly bill introduced by Mr. Haines (No. 844, Int. No. 763), entitled "An act to amend the Labor Law, in relation to violations thereof by officers, agents and employees of any commission appointed pursuant to law," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Wende, from the committee on labor and industries, to which was referred Assembly bill (No. 165, Int. No. 164) introduced by Mr. Foley, entitled "An act to amend article four of the Labor Law, entitled 'An act relating to labor, constituting chapter thirty-one of the Consolidated Laws,' in relation to medical reports to the Bureau of Labor Statistics," reported in favor of the passage of the same, with the following amendments:

Page 1, line 5, after the numerical "58" insert the following title: "Industrial poisonings to be reported".

Page 2, line 5, after the comma, insert the following: "with such other and further information as may be required by the said commissioners".

Page 2, line 5, strike out all matter after the word " suffering ".
Strike out all matter on lines 6, 7 and 8.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Bush, from the committee on public health, to which was referred Assembly bill introduced by Mr. Wende (No. 278, Int. No. 276), entitled "An act to amend the Public Health Law, in relation to repapering and recalcimining walls and ceilings," reported the same with the following amendments:

Page 1, line 9, after the word " purposes " insert the following: " in cities or villages having a population of ten thousand or more inhabitants ".

Page 2, line 5, after the word " be " strike out remainder of line 6; also strike out lines 7, 8 and 9.

Page 2, line 6, after word " be " insert the following: " guilty of a misdemeanor ".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Foley (No. 865, Int. No. 784), entitled "An act to amend the Code of Civil Procedure, in relation to verification of answers in actions for divorce."

Also, the bill introduced by Mr. Manley (No. 1022, Int. No. 295), entitled "An act to amend the Insanity Law, relative to the retirement of employees of State hospitals for the insane," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Foley (No. 1021, Int. No. 734), entitled "An act to amend section two hundred and eighty of the Penal Law, in relation to corporation not to practice law," reported the same with the following recommendations:

On page 2, line 2, insert comma after " attorney-at-law ".
On page 2, line 3, insert comma after " itself ".
On page 2, line 4, insert " out " after " itself ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Turley (No. 973, Int. No. 290), entitled "An act to amend the Public Health Law, in relation to statements in prescriptions by physicians," reported the same with the following recommendations:

On page 2, line 11, insert "shall" after "section".
Also in the same line strike out "s" from "constitutes."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Brace (No. 1075, Int. No. 56), entitled "An act to amend, consolidate and revise the several acts relative to the city of Amsterdam," reported the same with the following recommendation:

On page 14, line 13, insert "city" after "appointive".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Weil (No. 624, Int. No. 596), entitled "An act to amend section two hundred and seventy-one of the Code of Criminal Procedure to furnish the defendant in a criminal action with a transcript of the grand jury minutes in certain cases," reported the same with the following recommendations:

On page 1, line 4, intalicize "and".
In the same line also italicize "minutes furnished in certain cases".
On page 2, line 12, insert comma after "found".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Jackson offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the bill (No. 704, Int. No. 668), entitled "An act to amend the Election Law, in relation to creating a board of elections in Erie county and defining its powers and duties."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Jackson moved to amend as follows:

Page 2, line 17, change word "intention" to read "intent".

Page 2, all matter commencing with the word "it" in line 16 as new matter.

Page 6, line 20, after the word "board" insert the words "of elections".

Page 7, line 3, change the word "election" where first used to read "elections".

Page 8, line 15, strike out the word "of" after the word "Filing."

Page 9, line 7, strike out the word "lists" and insert the word "books."

Page 10, line 6, change the word "offices" to read "office."

Page 4, line 21, after word "Secretary" strike out word "and" and insert "shall receive an annual salary to be fixed by said board of supervisors at not less than two thousand dollars."

Page 4, line 24, strike out word "five" and insert word "eight".

Page 5, line 7, after word "be" strike out bracket.

Page 5, line 8, after word "thousand" strike out first bracket, and words "two thousand five hundred".

Page 5, line 8, after word "annum" insert "prior".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Jackson, said bill was ordered reprinted and recommitted to said committee.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Donovan	Herrick J J	McKeon	Shortt
Ahern	Drummond	Herrick W R	Merritt	Smith A E
Allen	Ebbetts	Heyman	Miller	Spielberg
Baumes	Egan	Higgins	Monczyns	Stivers
Beach	Evans	Hinman	Mork	Sullivan
Blauvelt	Farrell	Hoey	Murray	Sweet
Boylan	Fay	Hoff	Myers	Talmage
Brace	Filley	Hollmann	Neupert	Terry
Brennan	Foley	Hoyt	Nolan	Thorn
Bridenbecker	Friedman	Huber	O'Connor	Tormbly
Brooks	Fry	Jackson	Oliver	Turley

Brown	Geatons	Jameson	O'Neill J J	Walker
Bush	Gerhardt	Jones	O'Neil M A	Ward
Fuller	Gerken	Kennedy	Pappert	Waring
Carew	Gillen	Keys	Parker A	Warren
Caughlan	Goldberg	Kopp	Parker J S	Washburn
Chanler	Goldstein	Lansing	Patrie	Waters F A
Cheney	Goodman	LaReau	Phillips C W	Weil
Collin	Goodwin	Levy J	Phillips J S	Wende
Colné	Gould	Lincoln	Pierce	Wheeler
Connell	Graubard	Macdonald	Saunders	Wilson
Cosad	Gray	MacGregor	Schifferdecker	Winters
Cos	Gregg	Manley	Seeley	Yale
Cuvillier	Gurnett	Martin	Shannon	Yeomans
Dawson	Hackett	McCue	Shea	Young
Day	Hart	McDaniels	Sheide	Zorn
DeLano	Hammond	McElligott	Shepardson	Speaker
Donnelly	Hearn	McGrath	Shlivek	

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Ferris	Griffin	McClelland	Sanner	
Black	Fiero	Harden	Murtaugh	Stilwell	
Cronin	Frawley	Harte	O'Brien	Wagner	
Cullen	Gittins	Long	Pollock		19

FOR CHAUNCEY M. DEPEW.

Allen	Emerson	Hinman	Platt	Thomas	
Argetsinger	Heacock	Newcomb	Rose	Travis	
Bussey	Hewitt	Ormrod	Sage	Wainwright	
Cobb					16

FOR MARTIN W. LITTLETON.

Burd					1

FOR M. J. O'BRIEN.

Loomis	Saxe				2

FOR J. J. HOPPER.

Duhamel					1

When the roll was called the following pairs were announced: Mr. Brackett with Mr. Grady; Mr. Hamilton with Mr. Ramsperger; Mr. Griffith with Mr. Sullivan, C. D.; Mr. Walters with Mr. Sullivan, T. D.; Mr. Coats with Mr. McManus.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Gregg	McCue	Se ley	
Boylan	Fitzpatrick	Gurnett	McElligott	Sheide	
Brennan	Foley	Hearn	McGrath	Smith A E	
Bush	Frisbie	Herrick J J	McKeon	Spielberg	
Carew	Geatons	Herrick W R	Mork	Turley	
Caughlan	Gerhardt	Heyman	Neupert	Walker	
Collin	Gerken	Hoey	Oliver	Warren	
Cuvillier	Gillen	Jackson	O'Neill J J	Washburn	
Dawson	Goldberg	Jameson	O'Neil M A	Weil	
Donnelly	Goldstein	LaReau	Parker A	Wende	
Egan	Gould	Levy J	Patrie	Zorn	
Farrell	Graubard	Manley	Schifferdecker		59

FOR CHAUNCEY M. DEPEW.

Adler	Connell	Hinman	Pappert	Sweet	
Ahern	Cross	Hoff	Parker J S	Talmage	
Allen	DeLano	Jones	Phillips C W	Thorn	
Baumes	Ebbetts	Keys	Phillips J S	Ward	
Brereton	Filley	Kopp	Pierce	Waring	
Brooks	Goodman	Lansing	Shannon	Waters F A	
Brown	Goodwin	Lincoln	Shea	Waters R B	
Bryant	Gray	Macdonald	Shepardson	Wilson	
Butler	Haines	MacGregor	Shlivek	Yale	
Cheney	Hammond	Merritt	Smith T K	Yeomans	
Coffey	Hart	Murray	Stivers	Young	
Colné	Higgins	Nolan	Sullivan		49

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN H. GLYNN.

Saunders 1

FOR M. J. O'BRIEN.

Chanler Shortt 2

FOR MARTIN W. LITTLETON.

Brace	Friedman	Hollmann	Huber	Terry	
Drummond	Fry	Hoyt	Kennedy	Trombly	10

FOR JOHN D. KERNAN.

Beach	Cosad	Evans	Miller	Wheeler	
Bridenbecker					6

FOR WILLIAM SULZER.

Myers 1

FOR JOHN N. CARLISLE.

Day 1

FOR J. J. HOPPER.

O'Connor 1

When the roll was called the following pairs were announced: Mr. Constantine with Mr. A. J. Levy; Mr. R. B. Waters with Mr. Donovan; Mr. White with Mr. Hackett.

Whole number of votes cast	178
Necessary to a choice	90

	Senators.	Assemblymen.	Total.
For William F. Sheehan	19	59	78
For Chauncey M. Depew	15	58	73
For Alton B. Parker	1	1	1
For Martin W. Littleton	1	10	11
For Martin H. Glynn	0	1	1
For John D. Kernan	0	6	6
For M. J. O'Brien	2	2	4
For William Sulzer	0	1	1
For John N. Carlisle	0	1	1
For John J. Hopper	1	1	2

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Thursday, March 16th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Thursday, March 16th, at 12 o'clock noon in the Assembly Chamber.

The bill (No. 740, Int. No. 586) entitled "An act to exempt the real estate of charitable infant asylum corporations in the

State of New York from certain assessments for public improvements," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 68
NOES 58

Those who voted in the affirmative were:

Beach	Fitzpatrick	Herrick J J	McElligott	Seeley
Boylan	Foley	Herrick W R	McGrath	Sheide
Brennan	Friedman	Heyman	Miller	Shlivek
Carew	Geatons	Hoey	Mork	Smith A E
Caughlan	Gillen	Hoyt	Neupert	Spielberg
Cosad	Goldberg	Huber	O'Connor	Thorn
Cuvillier	Goldstein	Jackson	Oliver	Trombly
Day	Goodman	Jameson	O'Neill J J	Turley
Donnelly	Gould	Kennedy	O'Neil M A	Walker
Drummond	Graubard	LaReau	Parker A	Weil
Egan	Gregg	Levy J	Patrie	Wende
Evans	Gurnett	MacGregor	Saunders	Wheeler
Farrell	Hackett	Manley	Schifferdecker	Zorn
Fay	Hearn	McCue		

Those who voted in the negative were:

Adler	Cheney	Hart	Myers	Sullivan
Ahern	Collin	Hammond	Nolan	Sweet
Baumes	Colné	Hinman	Pappert	Talmage
Brace	Connell	Hollmann	Parker J S	Ward
Brereton	DeLano	Jones	Phillips C W	Waring
Bridenbecker	Ebbetts	Keys	Phillips J S	Warren
Brooks	Filley	Lincoln	Pierce	Waters F A
Brown	Fry	Macdonald	Shannon	Wilson
Bryant	Gerhardt	McDaniels	Shepardson	Yale
Bush	Gerken	McKeon	Shortt	Yeomans
Butler	Goodwin	Merritt	Stivers	Young
Chanler	Gray	Murray		

Mr. Goldberg moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 882, Int. No. 53) entitled "An act to amend the Penal Law in relation to kidnapping," having been announced,

Mr. Ward moved that said bill be recommitted to the committee

on codes, with instructions to report the same forthwith, amended as follows:

Page 1, line 7, after the word "person" strike out the words "other than a parent."

Line 8, at the beginning of the line, strike out the words "of the person kidnapped" and comma.

Page 2, line 17, after the word "of" insert brackets around the word "kidnapping", and insert in italics the words "a felony", and after the word "punishable" insert in italics a comma and the words "if a parent of the person kidnapped, by imprisonment for not more than ten years and, if a person other than a parent of the person kidnapped,".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Chanler, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 455, Int. No. 446) entitled "An act to amend the General Business Law, in relation to pawnbrokers," having been announced for a third reading,

On motion of Mr. J. J. Herrick, said bill was recommitted to the committee on general laws, retaining its place on the order of third reading.

The bill (No. 542, Int. No. 525) entitled "An act to amend the Personal Property Law and the Lien Law, in relation to liens upon merchandise and the proceeds thereof created by agreement for the purpose of securing the repayment of loans or advances upon the security of said merchandise," having been announced for a third reading.

Debate was had thereon, when Mr. A. E. Smith moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and in was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 97
NOES 18

Those who voted in the affirmative were:

Ahern	DeLano	Gregg	Manley	Smith A E
Allen	Donnelly	Hackett	McCue	Smith T K
Baumes	Drummond	Haines	McDaniels	Spielberg
Boylan	Egan	Hearn	McElligott	Stivers
Brace	Evans	Herrick J J	McGrath	Sullivan
Brennan	Farrell	Heyman	McKeon	Sweet
Bridenbecker	Fay	Higgins	Miller	Talmage
Brown	Filley	Hoey	Myers	Thorn
Bryant	Fitzpatrick	Hollmann	Neupert	Trombly
Bush	Foley	Hoyt	Oliver	Turley
Carew	Friedman	Huber	O'Neill J J	Walker
Caughlan	Fry	Jackson	O'Neil M	Waring
Chanler	Geatons	Jameson	Parker J S	Warren
Cheney	Gerhardt	Jones	Patrie	Washburn
Coffey	Gerken	Kennedy	Phillips C W	Waters F A
Collin	Gillen	Keys	Pierce	Weil
Cross	Goldberg	Kopp	Schifferdecker	Wende
Cuvillier	Goldstein	LaReau	Seeley	Wheeler
Dawson	Goodwin	Macdonald	Shannon	Yale
Day	Graubard	MacGregor	Shepardson	

Those who voted in the negative were:

Adler	Connell	Hinman	O'Connor	Wilson
Brereton	Ebbetts	Hoff	Pappert	Yeomans
Brooks	Gould	Lansing	Ward	Young
Colné	Hammond	Murray		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. C. W. Phillips offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 280, Int. No. 278), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to salaries," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Bridenbecker offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of

Assembly bill (No. 186, Int. No. 185), entitled "An act to authorize the town of Frankfort in Herkimer county to provide for the construction of a State highway of additional width and pay the expense thereof," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Wheeler offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 364, Int. No. 357), entitled "An act to make the office of county clerk of the county of Delaware a salaried office, and regulating the management of said office and fixing the salary of said clerk and his assistants," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 150, Senate reprint No. 592, Int. No. 149), entitled "An act providing for the relief of certain taxpayers of the city of Buffalo by placing the cost of acquiring lands for the extension of Laurel street in said city upon the general fund."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *March* 15, 1911.

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 51, Rec. No. 51), entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the annual budget of the board of education," for the purpose of amendment.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 280, Int. No. 278), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to salaries," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 364, Int. No. 357), entitled "An act to make the office of county clerk of the county of Delaware a salaried office, and regulating the management of said office and fixing the salary of said clerk and his assistants," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 186, Int. No. 185), entitled "An act to authorize the town of Frankfort in Herkimer county to provide for the construction of a State highway of additional width and pay the expense thereof," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. A. E. Smith, the House adjourned.

THURSDAY, MARCH 16, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to authorize the board of education of the union free school of the village of Saratoga Springs to borrow money on notes to be issued by said board, for the purpose of defraying the expenses incurred in erecting a new schoolhouse in said village" (No. 97, Rec. No. 75), which was read the first time and referred to the committee on public education.

"An act to amend the Forest, Fish and Game Law, in relation to the open season for certain wild fowl on Long Island" (No. 9, Rec. No. 76), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Geatons introduced a bill entitled "An act to amend the Labor Law, in relation to bakeries" (Int. No. 1029), which was read the first time and referred to the committee on labor and industries.

Mr. Goldberg introduced a bill entitled "An act to amend the Tax Law, in relation to the official visits to the counties of the State by the State Board of Tax Commissioners" (Int. No. 1030), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Gray introduced a bill entitled "An act to incorporate the superintendents of the Eel Weir park of the town of Oswegatchie" (Int. No. 1031), which was read the first time and referred to the committee on internal affairs.

Mr. Haines introduced a bill entitled "An act to establish a normal and training school in the county of Westchester, and making an appropriation therefor" (Int. No. 1032), which was read the first time and referred to the committee on ways and means.

Mr. Hinman introduced a bill entitled "An act to amend chapter one hundred and thirty-seven of the Laws of eighteen hundred and sixty-one, entitled 'An act to empower Masters Lodge

Number Five of Free and Accepted Masons, in the city of Albany, to hold and convey real estate,' in relation to the election of trustees" (Int. No. 1033), which was read the first time and referred to the committee on the judiciary.

Mr. Hoey introduced a bill entitled "An act to amend the Insurance Law, in relation to the powers of casualty corporations" (Int. No. 1034), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the powers of casualty corporations, upon the co-operative or assessment plan" (Int. No. 1035), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the taxes to be paid by foreign insurance corporations by providing that the tax to be paid by such corporation shall be upon the premiums received from business arising and done in this State" (Int. No. 1036), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to fraternal beneficiary societies, orders and associations" (Int. No. 1037), which was read the first time and referred to the committee on insurance.

Mr. Jackson introduced a bill entitled "An act providing for the erection of a boathouse, shelters, wharves and retaining walls at the city of Buffalo for the third division of the third battalion of the Naval Militia, upon lands of the State in the city of Buffalo, and making an appropriation therefor" (Int. No. 1038), which was read the first time and referred to the committee on ways and means.

Mr. Merritt introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article seven of the Constitution, in relation to the disposition and use of lands in the forest preserve" (Int. No. 1039), which was read the first time and referred to the committee on the judiciary.

Mr. Neupert introduced a bill entitled "An act to authorize the Adjutant-General to reopen, try and determine the claim made by Anthony J. Ross, private, Company E, Seventy-fourth Regiment

Infantry, National Guard, for expenses resulting from injuries received during service" (Int. No. 1040), which was read the first time and referred to the committee on ways and means.

Mr. Pappert introduced a bill entitled "An act to amend the General City Law, in relation to the licensing of dogs in cities of the third class" (Int. No. 1041), which was read the first time and referred to the committee on affairs of cities.

Mr. Saunders introduced a bill entitled "An act to amend the State Charities Law, in relation to the age of inmates committed to the New York State Training School for Girls" (Int. No. 1042), which was read the first time and referred to the committee on charitable and religious societies.

Also, "An act to amend the State Charities Law, in relation to the appointment of managers in the New York State Training School for Girls at Hudson" (Int. No. 1043), which was read the first time and referred to the committee on charitable and religious societies.

Also, "An act to amend the State Charities Law, in relation to the disposition of children of females committed to the New York State Training School for Girls at Hudson, and to the disposition of the mothers of such children" (Int. No. 1044), which was read the first time and referred to the committee on charitable and religious societies.

Mr. Spielberg introduced a bill entitled "An act to amend the Penal Law, in relation to mining corporations and the officers thereof" (Int. No. 1045), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Tax Law, in relation to providing a stamp tax on the manufacture of cigarettes" (Int. No. 1046), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Stivers introduced a bill entitled "An act to amend chapter five hundred and seventy-two of the Laws of nineteen hundred and two, entitled 'An act to revise and amend an act to incorporate the city of Middletown and the acts amendatory thereof,' generally" (Int. No. 1047), which was read the first time and referred to the committee on affairs of cities.

Mr. Sweet introduced a bill entitled "An act making an ap-

propriation for a portion of the cost of a bridge to be constructed by the city of Fulton over the Oswego river and barge canal at such city, and regulating such construction" (Int. No. 1048), which was read the first time and referred to the committee on ways and means.

Mr. Walker introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to prohibited hours for trafficking in liquors" (Int. No. 1049), which was read the first time and referred to the committee on excise.

Mr. Patrie introduced a bill entitled "An act to amend the County Law, in relation to establishing Grand Army posts" (Int. No. 1050), which was read the first time and referred to the committee on Soldiers' Home.

Mr. Foley introduced a bill entitled "An act to amend the Greater New York charter, in relation to a pension fund for the department of correction" (Int. No. 1051), which was read the first time and referred to the committee on affairs of cities.

Mr. Lincoln introduced a bill entitled "An act to legalize and confirm a special election held in the city of Jamestown on the fourteenth day of January, nineteen hundred and eleven, and the propositions adopted thereat authorizing the raising of money by or issuing of bonds for hospital and fire department purposes" (Int. No. 1052), which was read the first time and referred to the committee on affairs of cities.

Mr. Neupert introduced a bill entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the department of public instruction of said city" (Int. No. 1053), which was read the first time and referred to the committee on public education.

Mr. Miller, by request, introduced a bill entitled "An act making an appropriation for highway improvement for the purpose of completing a stone road from Albany to Binghamton" (Int. No. 1054), which was read the first time and referred to the committee on ways and means.

Mr. Shannon introduced a bill entitled "An act to amend chapter seven hundred and eighty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise, amend and consolidate

the several acts relating to the village of Bath, in the county of Steuben, and to repeal certain acts and parts of acts,' in relation to providing for a firemen's fund with moneys raised by taxation in such village" (Int. No. 1055), which was read the first time and referred to the committee on affairs of villages.

Mr. Jackson introduced a bill entitled "An act authorizing the city of Buffalo to enter into contract with the Delaware, Lackawanna and Western Railroad Company and the New York, Lackawanna and Western Railway Company, or either of them, for the purpose of securing adequate and proper freight and passenger terminals of said company or companies and to carry out and perform the provisions of said contract or contracts and the terms and conditions incidental thereto, including the purchase, sale or exchange of properties and the closing, discontinuing, alteration or relocation of streets, alleys or public grounds, or parts thereof, in said city" (Int. No. 1056), which was read the first time and referred to the committee on affairs of cities.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. C. W. Phillips (No. 584, Int. No. 562), entitled "An act making an appropriation for the National Encampment of the Grand Army of the Republic to be held in the city of Rochester, in the month of August, nineteen hundred and eleven."

Also, Assembly bill introduced by Mr. Fry (No. 496, Int. No. 485), entitled "An act to release to Alfredo Barili all of the right, title and interest of the people of the State of New York in and to certain real estate situated in the city of Yonkers, county of Westchester, and State of New York, acquired by escheat or otherwise upon the death of Carlo Scola, and Carlo Scola, his son."

Also, Assembly bill introduced by Mr. Schifferdecker (No. 414, Int. No. 405), entitled "An act to release to Emil Riese all the right, title and interest of the people of the State of New York in and to certain real estate in the borough of Brooklyn, city of New York, county of Kings and State of New York."

Also, Assembly bill introduced by Mr. Wilson (No. 339, Int. No. 338), entitled "An act to provide for the purchase of additional lands for the armory of the Thirty-fourth Separate Com-

pany of the National Guard at the city of Geneva and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Bush (No. 599, Int. No. 577), entitled "An act to amend the Education Law, in relation to the establishment of a State school of sanitary science and public health at Cornell University, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Wilson (No. 695, Int. No. 659), entitled "An act to grant to the city of Geneva all the interest of the people of the State of New York in certain lands formerly under the waters of Seneca lake, but which have been partially filled in."

Also, Assembly bill introduced by Mr. A. E. Smith (No. 874, Int. No. 793), entitled "An act reappropriating an unexpended balance for the improvement of the canals."

Also, Assembly bill introduced by Mr. A. E. Smith (No. 959, Int. No. 868), entitled "An act making an appropriation for the completion of the statutory record of the special statutes of the State authorized by chapter five hundred and thirteen of the Laws of nineteen hundred and ten."

Also, Assembly bill introduced by Mr. A. E. Smith (No. 1052, Int. No. 948), entitled "An act making an appropriation for the deportation of alien and nonresident lunatics to other countries and States, and for the office expenses of the State Commission in Lunacy."

Also, Assembly bill introduced by Mr. Merritt (No. 1056, Int. No. 952), entitled "An act making an appropriation for the New York State School of Agriculture of the Saint Lawrence University for the general purposes thereof," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Foley (No. 375, Int. No. 366), entitled "An act to establish the milk commission and prescribing its powers and duties, and to provide for the regulation and control of dealers in milk and making an appropriation therefor," reported the same with the following amendments:

In first line of the title, insert after the word "establish" the following: "in cities having a population of one million or more", and strike out the word "the" after the word "establish" and insert in place thereof the word "a".

In line 3 of the title, strike out the words "and making an appropriation therefor".

Page 2, line 6, strike out the words "of the first".

Line 7, strike out all of line and insert the following: "having a population of one million or more".

Line 10, before the word "city" insert the word "such", and strike out words "of the first class".

Line 12, strike out the word "three" and insert the word "two".

Line 13, after the syllables "pointed" insert "and removed". Strike out all of line beginning with the word "Governor", and insert in place thereof the words "mayor of the said city".

Line 14, strike out the word "Senate". Also strike out the word "Governor" and insert the word "mayor".

Line 15, after the word "commission" insert "and the commissioner of health of said city shall be ex-officio a member of such commission". After the word "each" insert the word "appointed".

Line 16, strike out the words "State of New York" and insert "said city".

Line 17, strike out all of line.

Strike out lines 18 to 24, inclusive.

Page 3, line 1, strike out the words "one until July one, nineteen hundred and thirteen".

Line 12, strike out the words "of the first class", and insert after the words "New York" the words "having a population of one million or more".

Line 13, strike out the words "Attorney-General" and insert the words "corporation counsel".

Line 14, strike out the words "State of New York" and insert in place thereof the words "said city".

Page 4, line 8, insert after the word "commission" the following: "within the amount appropriated therefor".

Line 12, strike out the word "constitutional".

Line 23, strike out the words "to be furnished".

Line 24, strike out all of line to and including the word "law".

Page 5, line 21, strike out the words "Attorney-General of the State of New York", and insert in place thereof the words "the counsel".

Line 22, strike out the words "the people of the State of New York and".

Page 6, line 9, strike out the words "shall be five thousand dollars. The annual salary", and insert in place thereof the word "and".

Line 10, strike out the words "four thousand dollars" and insert in place thereof the words "fixed by the board of estimate and apportionment of the said city."

Line 12, strike out the word "commission" and insert in place thereof the words "board of estimate and apportionment of the said city".

Line 19, strike out the words "audited and allowed by the".

Strike out lines 20 and 21 and insert in place thereof the following: "included in the annual budget of said city by the board of estimate and apportionment and shall be paid in the manner provided by law".

Page 7, line 19, strike out the words "to the Legislature".

Line 21, strike out the word "which".

Strike out lines 22 and 23.

Page 8, line 19, strike out all of line excepting the words "shall be".

Line 21, strike out the words "State to the credit of the general fund", and insert in place thereof the word "city".

Page 11, line 7, strike out the words "or the people of the".

Line 8, strike out the words "State of New York". Strike out the word "parties" and insert in place thereof the word "party" in same line.

Line 17, strike out the words "the Attorney-General", and insert in place thereof "its counsel".

Page 13, line 14, strike out the words "of the first", and on line 15 strike out the word "class", and insert in place thereof the words "having a population of one million or more".

Line 19, insert the word "such" before the word "city".

Strike out the words "of the first class" in same line.

Line 22, strike out the words "within cities of the first class".

Page 14, line 5, strike out the words "of the first class", and insert before the word "city" the word "such".

Page 15, line 15, strike out the words "in any city of the first class".

Line 18, insert the word "such" before the word "city", and strike out the words "of the first class".

Line 20, insert before the word "city" the word "such", and strike out the words "of the first class".

Line 22, strike out the word "twenty-five", and insert in place thereof the word "five".

Line 26, strike out the words "in any city of the first class".

Page 16, line 10, strike out the words "a city of the first class", and insert in place thereof the words "such city".

Line 13, strike out the words " in any city of the first class ".

Page 17, line 24, before the word " city " insert the word " such ", and strike out the words " of the first class ".

Page 18, line 10, strike out the words " State of ", and insert in place thereof the word " city ".

Line 11, strike out the words " New York five " and insert in place thereof the word " one ".

Line 16, strike out the words " people of the State of New York " and insert in place thereof the word " commission ".

Line 17, strike out the words " the attorney " and insert in place thereof the words " its counsel ".

Line 18, strike out the word " general ".

Line 24, strike out the word " State ". Also the words " to the credit of the general fund ", and insert in place thereof the words, after the word " treasury ", " of the city ".

Line 25, strike out the word "Appropriation ", and all the rest of the line.

Strike out line 26, and insert in place thereof the following: " Exclusive jurisdiction. The commission shall have exclusive jurisdiction in accordance with the powers and duties thereby conferred upon it within the territorial limits of said city, and any of the powers and duties now conferred by law upon the board of health of said city, so far as they may apply to the matter contained in this act are hereby abrogated."

Page 19, strike out lines 1, 2, 3, 4, 5, 6 and 7.

Line 8, strike out the number " 31 " and insert in place thereof the number " 30 ". Strike out the word " July " at end of line and insert " October ".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Senate bill introduced by Mr. Ferris (No. 669, Rec. No. 64), entitled "An act to amend the State Boards and Commissions Law, relative to notice, plans, specifications and map."

Also, Senate bill introduced by Mr. Ormrod (No. 240, Rec. No. 41), entitled "An act authorizing and directing the Comptroller to revise and resettle accounts for taxes paid under the provisions of section one hundred and eighty-seven-a of the Tax Law for the year ending June thirtieth, nineteen hundred and eight," reported in favor of the passage of the same without

amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Senate bill introduced by Mr. Emerson (No. 158, Rec. No. 3), entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes," reported the same with the following amendment:

Page 2, line 4, strike out beginning with the words, "and in the county" down to and including the words "Rouses Point" on line 10, and insert in place thereof the following: "and that part of route number twenty-five from Long Lake to Riparius, and also that part of route number twenty-five from Lake George to Chestertown, and on route number twenty-two from Whitehall to Cambridge, and also on route number twenty-two, as defined by said section of the Highway Law, north of Schroon Lake village, not heretofore constructed or for which money is not already available, in such manner as to complete a system of stone road from New York city to Rouses Point; but in case the appropriation hereby made shall be insufficient to complete said system of stone road as contemplated, then the Highway Commission shall expend the same in constructing and improving such portions of said road as in its judgment are in most need of construction and improvement."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill (No. 147, Int. No. 146) introduced by Mr. Hoey, entitled "An act to amend the Greater New York charter, in regard to the appointment of a municipal architect," reported in favor of the passage of the same, with the following amendments:

Page 2, line 11, strike out the words "inspectors, draughtsmen, tracers, stenographers and".

Line 12, strike out the word "clerks".

Line 15, after the word "experience" add the following: "and a resident of the city of New York for at least five years prior to the time of his appointment".

Page 3, line 3, strike out the word "September" and insert in place thereof the word "October".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Sweet (No. 834, Int. No. 207), entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to bonds and contracts for the construction of certain sewers therein and a sewage disposal plant therefor, and exempting such matter from the provisions of section six of the General Municipal Law," reported the same with the following amendments:

Page 5, line 6, strike out the words "Section of the general".

Strike out all of line 7 and insert in place thereof the following: "No part of the construction herein authorized shall be undertaken, none of the contracts herein referred to shall be made and none of the bonds herein mentioned shall be issued until there shall have been submitted to the taxpayers of said city at a special election called for the purpose, the question whether such bonds shall be issued, nor until the majority of the taxpayers voting at such special election shall have approved the issue of such bonds."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill introduced by Mr. Mork (No. 901, Int. No. 811), entitled "An act to amend the Code of Civil Procedure, in relation to the sale of real property pursuant to a judgment."

Also, Assembly bill introduced by Mr. Hearn (No. 616, Int. No. 588), entitled "An act to amend the Code of Civil Procedure, in relation to exemptions and executions."

Also, Assembly bill introduced by Mr. Miller (No. 900, Int. No. 810), entitled "An act to amend the Code of Civil Procedure, in relation to judgment upon appeal from a justice's court," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 501, Int. No. 490) introduced by Mr.

McElligott, entitled "An act to amend the Code of Civil Procedure, in relation to motions for new trials," reported in favor of the passage of the same, with the following amendments:

On page 1, line 7, place brackets around the following words: " excessive or ".

On page 2, line 5, strike out the word " immediately " and insert in place thereof the following: " September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 982, Int. No. 882) introduced by Mr. Adler, entitled "An act to amend the Penal Law, in relation to guide signs lawfully erected upon highways," reported in favor of the passage of the same, with the following amendment:

On page 4, line 5, strike out the word " immediately " and insert in place thereof the following: " September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 1040, Int. No. 936) introduced by Mr. Warren, entitled "An act to amend the Penal Law, relative to buying or receiving stolen or wrongfully acquired property," reported in favor of the passage of the same, with the following amendment:

On page 2, add a new line to be line No. 22 and insert the following: " § 2. This act shall take effect September first, nineten hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 810, Int. No. 740) introduced by Mr. Spielberg, entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to bail in magistrates' courts in said city," reported in favor of the passage of the same, with the following amendments:

On page 1, line 9, strike out the word " let " and insert in place thereof the word " admitted ".

On page 1, line 10, strike out the word "let" and insert in place thereof the word "admitted".

On page 2, line 2, strike out the word "let" and insert in place thereof the word "admitted".

On page 2, line 8, strike out the word "immediately" and insert in place thereof the following words: "September first, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 566, Int. No. 549) introduced by Mr. Warren, entitled "An act to amend section nineteen hundred and two of the Code of Civil Procedure," reported in favor of the passage of the same, with the following amendments:

On page 1, in the first line of the title, strike out the words "section nineteen hundred and two of".

On page 1, second line of title, strike out the period after the word "Procedure", insert a comma in place thereof and add the following words: "in relation to actions for negligence."

On page 1, line 4, place brackets around the words "causing death by".

On page 1, line 7, strike out the bracket before the word "by".

On page 1, line 8, strike out the bracket after the word "caused".

On page 1, line 8, after the word "caused" insert the following words in italics: "or for any other wrongful act, neglect or default,".

On page 2, line 1, strike out the bracket before the word "such".

On page 2, line 2, strike out the bracket after the word "death".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 423, Int. No. 418), entitled "An act to amend the Insurance Law, in relation to the character of the automobile indemnity which may be assumed by fire and marine insurance corporations," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hoey, from the committee on insurance, to which was re-

ferred Assembly bill (No. 778, Int. No. 711) introduced by Mr. W. R. Herrick, entitled "An act to amend the Insurance Law, in relation to the powers of title guaranty corporations," reported in favor of the passage of the same, with the following amendment:

On page 2, lines 9 and 10, strike out the words in italics.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 400, Int. No. 391), entitled "An act to amend the Insurance Law, by prohibiting rebating and discrimination in relation to premiums paid for fire insurance," reported the same with the following amendments:

Page 1, title strike out "fire".

Page 1, line 4, change "three" to "one".

Page 1, line 5, change "one hundred and forty-three" to "sixty-five".

Page 1, line 8, change "143" to "65".

Page 1, line 9, after "authorized" insert "or permitted"; strike out "the business".

Page 1, line 10, strike out "of fire" and insert in place thereof "any"; after "insurance" insert "business".

Page 2, line 1, strike out "of fire" and insert in place thereof "for such".

Page 2, line 2, after "property" insert "or risk".

Page 2, line 2, after "State" insert "or against liability, casualty, accident or hazard that may arise or occur therein."

Page 2, line 18, strike out "fire".

Page 3, line 1, strike out "the" and insert in place thereof "such".

Page 3, line 2, strike out "business of fire"; after "insurance" insert "business".

Page 3, line 4, insert after "surance" (first word on line) the following: "nor prevent any member of an inter-insurance or Lloyds association from receiving the profit on his or its underwriting;".

Page 3, line 6, change period to comma and insert the following: "and nothing herein contained shall be held to prevent the covering of risks by temporary binders or such other memoranda as do not conflict with the provisions of this chapter."

Page 3, line 22, after "violation" insert "This section shall not apply to any contract of life insurance nor to any contract of insurance upon or in connection with marine or transportation risks or hazards, nor to contracts made by persons, associations or corporations authorized to do business under articles five, six, seven and nine of this chapter."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 421, Int. No. 416), entitled "An act to amend the Insurance Law, in relation to the reinsurance of life insurance corporations," reported the same with the following amendment:

On page 2, line 14, insert before the word "fifty" the words "two hundred and" in italics.

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 402, Int. No. 393), entitled "An act to amend the Insurance Law, by providing that persons, associations and corporations doing a fire insurance business in this State shall report the amounts at risk in congested value districts," reported the same with the following amendments:

Page 2, line 6, after word "cities" insert the words: "of the United States" in italics.

Page 2, line 7, strike out word "three" and in place thereof insert the word "five" in italics.

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 401, Int. No. 392), entitled "An act to amend the Insurance Law, by providing that no commissions are to be paid agents or brokers for fire insurance unless they are authorized by a certificate of

authority to transact a fire insurance business," reported the following substitute bill:

(See Appendix No. 8.)

and requests that said substitute bill when printed be recommitted to said committee, which report was agreed to, and said substitute bill ordered printed and recommitted to said committee.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 405, Int. No. 396), entitled "An act to amend the Insurance Law, in relation to the organization of persons, partnerships or associations engaging in the business of insurance as Lloyds or inter-insurers, and to permit the admission of Lloyds of other States, and to provide for the forwarding of process by the Superintendent of Insurance," reported the same with the following amendments:

Page 2, line 3, after the word "to" insert the words: "the attorney in fact for".

Page 2, line 9, after the word "suit" change the period to a comma and insert the words: "provided, however, that when one or more underwriters of the same group of Lloyds or inter-insurance associations are joined in the same suit or proceeding, but one copy of such process shall be served".

Page 13, strike out lines 3 to 11, inclusive.

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Chanler, from the committee on codes, to which was referred Senate bill introduced by Mr. Griffin (No. 304, Rec. No. 67), entitled "An act to amend the Penal Law, in relation to processions on Sunday in cities," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Also, Senate bill introduced by Mr. T. D. Sullivan (No. 671, Rec. No. 72), entitled "An act to amend the Penal Law, in relation to false weights and measures," reported in favor of the passage of the same without amendment, which report was agreed to.

On motion of Mr. Chanler, and by unanimous consent, said bill was read the second time, and ordered to a third reading.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Hoey (No. 745, Int. No. 683), entitled "An act to amend the Public Officers Law, in relation to holidays and the hours of employees of the State and the various subdivisions thereof, and the compensation therefor."

Also, Assembly bill introduced by Mr. Bush (No. 299, Int. No. 298), entitled "An act to amend the Poor Law, in relation to the burial of soldiers, sailors or marines and to marking their graves with headstones."

Also, Assembly bill introduced by Mr. Brooks (No. 441, Int. No. 432), entitled "An act to amend the General Business Law, in relation to rate of interest to be demanded or received by a pawnbroker."

Also, Assembly bill introduced by Mr. Zorn (No. 625, Int. No. 597), entitled "An act to legalize, ratify and confirm the incorporation of the Winfield Athletic Club and its corporate acts and those of its trustees, including amendments to its certificate of incorporation."

Also, Assembly bill introduced by Mr. Pappert (No. 526, Int. No. 511), entitled "An act to legalize and confirm the official acts of notaries public and commissioners of deeds," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill (No. 43, Int. No. 43) introduced by Mr. Martin, entitled "An act to amend the State Boards and Commissions Law, relative to notice, plans, specifications and map," reported in favor of the passage of the same, with the following amendments:

Page 2, line 4, after word "thirty" insert comma.
Page 2, line 5, after word "thirty" insert comma.
Page 8, strike out "and" and insert "or".
Page 26, strike out "Such" and insert "such".
Page 3, line 19, after word "with" insert comma.
Page 21, strike out brackets and after word "statements" insert comma and the words "shall make such modifications" in italics.
Page 3, line 24, strike out "plans, specifications and".
Page 3, line 26, strike out "plans, specifications and".

Page 4, line 1, strike out the period and capital " T " and insert a comma and small " t ".

Same line, before the word " plans " insert a bracket.

Same page, line 2, strike out bracket before word " estimates ".

Page 4, line 10, strike out the " a " before " final " and inclose the word " map " in brackets and after bracket insert " maps and ".

Page 4, line 12, inclose " map " in brackets.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill (No. 110, Int. No. 109) introduced by Mr. Haines, entitled "An act to amend the Tax Law, in relation to the time in which an application for a refund of tax may be made," reported in favor of the passage of the same, with the following amendments:

Page 2, line 12, after the word " reversed " insert in italics " by the surrogate having jurisdiction ".

Page 2, line 13, after the comma insert in italics " or be modified or reversed at any time on an appeal taken therefrom within the time allowed by law,".

Page 3, line 13, after the period insert in italics " This section, as amended, shall apply to appeals and proceedings now pending and taxes heretofore paid in relation to which the period of one year from such reversal or modification has not expired when this section, as amended, takes effect."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill (No. 807, Int. No. 737) introduced by Mr. Saunders, entitled "An act to amend chapter twenty of the Consolidated Laws, General Business Law, article fifteen, hops and hay," reported in favor of the passage of the same, with the following amendment:

Page 3, after line 6, add the following paragraph: " § 4. This act shall take effect on the first day of August, nineteen hundred and eleven."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill (No. 258, Int. No. 256) introduced by Mr. Foley, entitled "An act to amend the Personal Property Law, in relation to the application of funds collected for charitable or benevolent purposes," reported in favor of the passage of the same, with the following amendments:

Page 2, line 8, strike out " where ".

Page 2, line 9, strike out " the treasurer of such association or of such committee shall reside " and insert in italics " in which the majority of the contributors resided at the time of the receipt of the fund ".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill (No. 268, Int. No. 266) introduced by Mr. Warren, entitled "An act to amend the Personal Property Law, in relation to sales of goods," reported in favor of the passage of the same, with the following amendments:

Page 6, line 12, strike out " five hundred " and insert in lieu thereof " fifty ".

Page 19, lines 2 and 7, strike out " act " and in place thereof insert " article ".

Page 31, line 8, strike out " act " and in place thereof insert " article ".

Page 28, line 9, strike out " curcumstances " and in place thereof insert " circumstances ".

Page 33, line 19, strike out " fifty-seven " and in place thereof insert " one hundred thirty-eight ".

Page 38, line 8, strike out " sixty-four " and in place thereof insert " one hundred forty-five ".

Page 46, line 17, strike out the period and insert a comma in place thereof and after the comma the following words: " or of section nine hundred and forty-three of chapter eighty-eight of the Laws of nineteen hundred and nine, constituting chapter forty of the Consolidated Laws."

Page 46, line 18, strike out all of subdivision 2 and in place thereof insert " Laws repealed. Section thirty-six of chapter forty-five of the Laws of nineteen hundred and nine, constituting chapter forty-one of the Consolidated Laws, and so much of subdivision six of section thirty-one of chapter forty-five of the Laws of nineteen hundred and nine, constituting chapter forty-one of

the Consolidated Laws, as constitutes the first paragraph of said subdivision and section twenty of chapter twenty-five of the Laws of nineteen hundred and nine, constituting chapter twenty of the Consolidated Laws, are hereby repealed."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Goldberg, from the committee on taxation and retrenchment, to which was referred Assembly bill introduced by Mr. Zorn (No. 489, Int. No. 477) entitled "An act to amend the Tax Law, in relation to the salary of the transfer tax clerk in the county of Queens," report in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Goldberg, from the committee on taxation and retrenchment, to which was referred Assembly bill introduced by Mr. Goldberg (No. 509, Int. No. 498), entitled "An act to amend the Tax Law, in relation to statement of aggregate valuation," reported the same with the following amendment:

Page 2, line 21, insert at the end of line 21 the following words: "The State Board of Tax Commissioners shall certify to the Comptroller, on his request, before the thirty-first day of December, in each year, such extracts or items, from the returns above mentioned as he may desire."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Goldberg, from the committee on taxation and retrenchment, to which was referred Assembly bill introduced by Mr. Goldberg (No. 508, Int. No. 497), entitled "An act to amend the Tax Law, in relation to equalization by boards of supervisors," reported the same with the following amendments:

Page 3, line 5, after the word "forthwith" insert the words "by the clerk of said board".

Page 3, line 6, after the word "and" insert the words "shall be".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Goldberg, from the committee on taxation and retrenchment, to which was referred Assembly bill introduced by Mr. Goldberg (No. 510, Int. No. 499), entitled "An act to amend the Tax Law, in relation to providing for statistics of taxation, revenue and debt," reported the same with the following amendments:

Page 1, line 4, strike out the words "one hundred and seventy-nine" and insert the word "sixty-four".

Page 1, line 5, strike out the words "one hundred and seventy-eight" and insert the word "sixty-three".

Page 1, line 7, strike out the figure "179" after the section mark and insert in lieu thereof the figure "64". In the same line insert the word "State".

Page 1, line 8, strike out the words "board of tax commissioners have power and is required to" and insert before the word "shall" the word "Comptroller".

Page 1, line 9, strike out the words "and publish in its annual report" and in lieu thereof insert the words "in such detail as may be desirable" in italics.

Page 1, line 10, strike out the words "operation of laws for the levy" and in lieu thereof insert the word "assessment" in italics.

Page 2, line 6, strike out the words "State Board" and in lieu thereof insert the word "Comptroller" in italics. At the end of line 7 after the word "Comptroller" add the following in italics: "The Comptroller shall furnish an abstract of such statistical information to the State Board of Tax Commissioners for publication in the annual report of such board."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Goldberg, from the committee on taxation and retrenchment, to which was referred Assembly bill introduced by Mr. Goldberg (No. 511, Int. No. 500), entitled "An act to amend the Tax Law, in relation to assessment-rolls in cities," reported the same with the following amendments:

Page 1, line 6, strike out the word "incorporated".

Page 1, line 8, strike out the word "full".

Page 1, line 9, strike out the word "full".

Page 1, line 10, strike out the word "improvements" and insert in lieu thereof the words "buildings thereon" in italics. At the end of the section after the word "thereon" add the following words in italics: "The total assessment only can be reviewed".

and requests that said bill be recommitted to said committee. which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Goldberg, from the committee on taxation and retrenchment, to which was referred Assembly bill introduced by Mr. Goldberg (No. 500, Int. No. 495), entitled "An act to amend the Tax Law, in relation to the powers and duties of the State Board of Tax Commissioners," reported the same with the following amendments:

Page 1, line 1, strike out the word "section" and in lieu thereof insert the word "sections".

Page 1, line 1, after the word "seventy" insert the words "one hundred and seventy-one and one hundred and seventy-two".

Page 1, line 5, strike out the words "sixty-six" and in lieu thereof insert the words "sixty-eight, one hundred and sixty-nine and one hundred and seventy".

Page 1, line 6, to page 3, line 9, strike out all the matter and insert in lieu thereof the following:

"§ 2. Section one hundred and seventy-three of said chapter is hereby renumbered to be one hundred and seventy-one and is hereby amended to read as follows:

"§ [173] 171. Tax commissioners to visit counties. [Two] One or more of the members of the State Board of Tax Commissioners shall officially visit every county in the State at least once in two years, and inquire into the methods of assessment and taxation and ascertain whether the assessors faithfully discharge their duties and particularly as to their compliance with the provisions of this chapter requiring the assessment of all property not exempt from taxation at its full value."

Page 3, line 10, strike out the words "§ 4" and in lieu thereof insert "§ 3".

Page 3, line 10, strike out the word "four" and in lieu thereof insert the word "two".

Page 3, line 11, strike out the words "one hundred and seventy", "one hundred and seventy-one".

Page 3, line 13, strike out the word "sixty-nine" and in lieu thereof insert the word "seventy-one".

Page 3, line 15, to page 4, line 14, strike out all the matter.

Page 5, line 9, strike out the word "any" and in lieu thereof insert the word "an".

Page 6, line 1, strike out "§ 5" and insert in lieu thereof "§ 4".

Page 6, line 18, strike out "§ 6" and insert in lieu thereof "§ 5".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Goldberg, from the committee on taxation and retrenchment, to which was referred Assembly bill introduced by Mr. Goldberg (No. 502, Int. No. 491), entitled "An act to amend the Real Property Law, in relation to recording deeds," reported the same with the following amendments:

Page 1, lines 7, 8, and 9, strike out the words " no deed of real property shall be recorded in the office of the recording officer unless at the same time there is filed with the said recording officer " and in lieu thereof insert in italics the following words: " Whenever a deed of real property shall be offered for record it shall be the duty of the recording officer to require that there be filed with him ".

Page 3, lines 1 and 2, after the bracket strike out the word " SS.:"

Page 3, lines 3 and 4, strike out the words " the assessors " and in lieu thereof insert in italics the words " an assessor ".

Page 3, lines 6 and 7, strike out the words " take the receipt of the assessors therefor " and in lieu thereof insert in italics the words " keep a record of the affidavits so received and delivered."

Page 3, line 12, strike out the words " assessed value " and in lieu thereof insert in italics the words " general values ".

Page 3, line 13, after the word " districts " insert in italics the words " for the purpose of assessment ".

Page 3, line 15, strike out the word " assessment " and insert in italics the word "assessments ".

Page 3, lines 19 and 20, strike out the words " each day during which he shall fail or refuse " and in lieu thereof insert in italics the words " a failure or refusal ", and at the end of said line insert in italics the words " within thirty days after demand ".

Page 3, line 21, after the word " dollars " insert in italics the following: " In the absence of such grantor or grantee such correction may be made by affidavit by his agent having knowledge of the facts."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Goldberg, from the committee on taxation and retrenchment, to which was referred Assembly bill introduced by Mr. Goldberg (No. 503, Int. No. 492), entitled "An act to amend

the Tax Law, in relation to the assessment of real property and repealing certain sections relative thereto," reported the same with the following amendments:

Page 2, lines 7 to 14, strike out the following words: "The name of the owner, if known, shall be entered upon the assessment-roll, but a mistake in the name of the owner shall not affect the validity of the assessment. If the owner is resident of the tax district and his name is entered upon the assessment-roll, he shall be liable personally for the tax levied upon the real property so assessed. When the name of the owner is not known to the assessor, he shall enter the name of the owner as unknown."

Page 3, line 20, strike out the word "four" and insert the word "three".

Page 3, lines 24, 25 and 26, strike out the words "part four shall contain the assessment of corporations as provided in section thirty-two of this chapter".

Page 4, lines 3 and 4, strike out the words "of each parcel of real property separately assessed if known" and insert in italics the words "or the last known owner, or reputed owner of each parcel or portion of real property separately assessed. Such name shall be regarded as an aid to identify such parcel or portion. A mistake in the name of the owner, or the last known owner, or reputed owner, shall not affect the validity of the assessment against the parcel or portion."

Page 4, line 5, after the word "parcel" insert in italics the words "or portion".

Page 4, line 8, after the word "parcel" insert in italics the words "or portion".

Page 4, line 13, after the word "parcel" insert in italics the words "or portion".

Page 4, line 14, after the word "parcel" insert in italics the words "or portion".

Page 4, line 16, after the word "parcel" insert in italics the words "or portion".

Page 4, line 20, after the word "parcel" insert in italics the words "or portion".

Page 4, line 24, strike out the word "five" and in lieu thereof insert in italics the word "seven".

Page 5, line 1, after the word "persons" insert in italics the words "and corporations".

Page 5, line 5, at the end thereof insert in italics the following:

"3. In the third column the value of taxable rents reserved and chargeable upon lands within the tax district estimated at a principal sum, the interest of which at the legal rate per annum

shall produce a sum equal to such annual rents, and if payable in anything except money, the value of the rents in money to be ascertained by them and the value of each rent assessed separately.

" 4. In the fourth column the full value of the capital stock of each corporation assessed pursuant to the provisions of section twelve of this chapter."

Page 5, line 6, strike out figure " 3 " and insert the figure " 5 ", and in the same line strike out the word " third " and insert the word " fifth ".

Page 5, line 9, at the end thereof insert in italics the following: " and the full value of the capital stock of each corporation, assessed pursuant to the provisions of section twelve of this chapter, when such corporation has its principal office in an incorporated village and the name of the village."

Page 5, line 10, strike out the figure " 4 " and insert the figure " 6 ", and in the same line strike out the word " fourth " and insert in italics the word " sixth ".

Page 5, line 12, strike out the figure " 5 " and insert the figure " 7 ", and in the same line strike out the word " fifth " and insert in italics the word " seventh ".

Page 5, line 14, strike out the word " seven " and insert in italics the word " six ".

Page 5, lines 14 and 15, strike out the words " according to the best information in their power, they shall " and insert in italics in lieu thereof " there shall be ".

Page 5, lines 17 to 21, strike out the words " or as owner of rents reserved. If the name of the person entitled to receive the rent reserved cannot be ascertained by the assessors, it shall be assessed against the tenant in possession of the real property upon which the rents are chargeable."

Page 5, line 22, strike out the word " statement " and insert in italics the word " description ".

Page 6, lines 3 to 9, strike out all the matter contained therein.

Page 6, line 10, strike out figure " 5 " and insert figure " 4 " and the word " fifth " and insert in italics the word " fourth ".

Page 6, line 16, strike out figure " 6 " and insert figure " 5 " and strike out the word " sixth " and insert in italics the word " fifth ", and in the same line before the word " official " insert in italics the word " proper ".

Page 6, line 19, strike out figure " 7 " and insert figure " 6 ", and strike out the word " seventh " and insert the word " sixth ".

Page 6, line 21, strike out the word " and ", and in the same line after the word " thirty-one " insert the words " and thirty-two ", and after the word " are " insert in italics the word " hereby ".

Page 6, line 24, after the word "prepare" insert in italics the words "or adopt".

Page 7, line 17, strike out the line and insert the following: "§ 5. Section fifty-four of said chapter is hereby amended to read as follows:

§ 54. Description of real property [of nonresidents]. The board of supervisors of each county, at its annual meeting, shall examine the assessment-rolls of the several tax districts, and shall make such changes in the descriptions of [the] real property [of nonresidents] as may be necessary to render such descriptions sufficiently definite for the purposes of collection of taxes by sale thereof. If a sufficiently definite description cannot be obtained during the session, the board shall cause the same to be obtained for the next annual session, and the property shall not be taxed until such description is obtained, and shall then be taxed for the year so omitted, in the manner provided for taxing omitted lands."

Page 7, line 20, to page 8, line 8, inclusive, strike out and in lieu thereof insert the following:

[§ 63. Certain errors in roll to be corrected. The assessment of a nonresident parcel of real estate in the resident portion of the roll, the assessment of a resident parcel of real estate in the nonresident portion of the roll, an error in the name of the owner or occupant or the assessment of a parcel of real estate to the name of a deceased person or to his estate, shall not render the assessment invalid or render the tax levied on the valuation of said real estate invalid. The board of supervisors of each county may at any time before levying the tax as provided in this article, at the request of the supervisor of the tax district in which the real estate is situated, correct any errors which may come to his knowledge in the assessment of any parcel of real estate in his district, in either of the cases mentioned in this section.]

"§ 63. Errors in assessment-rolls. An error in the description of a parcel or portion of real property shall not invalidate the assessment against such parcel or portion, if such description is sufficiently accurate to identify the parcel or portion. The entry of the name of the owner, last known owner or reputed owner of a separate parcel or portion of real property shall not be regarded as part of such assessment but merely as an aid to identify such parcel upon the roll.

"If the owner of such parcel or portion is a resident of the tax district in which such parcel or portion is assessed, and his name is correctly entered on the roll, he shall be personally liable for the tax assessed against such parcel or portion of real property."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Caughlan, from the committee on railroads, to which was referred Assembly bill introduced by Mr. Caughlan (No. 157, Int. No. 156), entitled "An act to amend the Railroad Law, in relation to the construction of street surface railroads upon grounds occupied by public buildings or in public parks."

Also, Assembly bill introduced by Mr. Kopp (No. 169, Int. No. 168), entitled "An act to amend the Public Service Commissions Law, in relation to transportation of passengers at reduced rates, in certain cases."

Also, Assembly bill introduced by Mr. Coffey (No. 764, Int. No. 702), entitled "An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and forty-six, entitled 'An act to authorize the New York and New Haven Railroad Company to extend their railroad from the Connecticut line to the New York and Harlem railroad,' in regard to rates of fare and otherwise."

Also, Assembly bill introduced by Mr. Caughlan (No. 1054, Int. No. 950), entitled "An act to amend the Public Service Commissions Law, in relation to free or reduced transportation by common carriers," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Gurnett, from the committee on forestry, fisheries and game, to which was referred Assembly bill introduced by Mr. T. K. Smith (No. 749, Int. No. 687), entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season."

Also, Assembly bill introduced by Mr. Sheide (No. 2, Int. No. 2), entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for certain wild fowl on Long Island," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Cosad, from the committee on agriculture, to which was referred Assembly bill introduced by Mr. Butler (No. 637, Int. No. 605), entitled "An act to amend the Agricultural Law, in

relation to information to be furnished to persons dealing in products whose manufacture or sale, or keeping of which is regulated or forbidden by the Agricultural Law."

Also, Assembly bill introduced by Mr. McCue (No. 781, Int. No. 714), entitled "An act to amend the Agricultural Law, in relation to manufacture and sale of spirits of turpentine, turpentine, and linseed and flaxseed oil," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Cuvillier, from the the committee on military affairs, to which was referred Assembly bill introduced by Mr. Cuvillier (No. 945, Int. No. 854), entitled "An act to amend the Military Law, in relation to service of the National Guard and Naval Militia."

Also, Assembly bill introduced by Mr. Cuvillier (No. 1025, Int. No. 921), entitled "An act to amend the Military Law, in relation to the Naval Militia."

Also, Assembly bill introduced by Mr. Cuvillier (No. 985, Int. No. 885), entitled "An act to amend the Military Law, in relation to enlisted men of the National Guard and Naval Militia," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McCue, from the committee on commerce and navigation, to which was referred Assembly bill introduced by Mr. Lansing (No. 462, Int. No. 453), entitled "An act to amend chapter two hundred and sixty-nine of the Laws of eighteen hundred and seventy-two, entitled 'An act authorizing the construction of a bridge across the Hudson river at the city of Albany, and incorporating the "Albany and Greenbush Bridge Company,"' in relation to rates of toll to be charged by said company or its successors, including the Albany Southern Railroad Company, and the sale of tickets."

Also, Assembly bill introduced by Mr. Zorn (No. 490, Int. No. 478), entitled "An act to regulate the fares for foot passengers on the ferry operated between Ninety-second street, New York, and Astoria, Long Island," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Patrie, from the committee on public education, to which was referred Assembly bill (No. 386, Int. No. 377) introduced by Mr. Patrie, entitled "An act to amend the Education Law, relative to the New York State teachers' retirement fund for public school teachers," reported in favor of the passage of the same, with the following amendments:

Page 2, line 18, after the word "cities" insert "counties".

Page 2, line 19, strike out all words after "districts" and add "except in counties of over one million population".

Page 3, line 4, before the word "appropriations" insert the word "Voluntary".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Greater New York charter, in relation to pensioners holding offices." (No. 976, Int. No. 685.)

"An act to amend the Greater New York charter, in relation to allowances for blind persons and appropriations therefor, and making temporary provision for raising funds for the present increase of such allowances." (No. 1092, Int. No. 353.)

"An act to amend the Code of Civil Procedure, in relation to verification of answers in actions for divorce." (No. 865, Int. No. 784.)

"An act to amend the Insanity Law, relative to the retirement of employees of State hospitals for the insane." (No. 1022, Int. No. 295.)

"An act to amend the Greater New York charter, in relation to revocation of auctioneers' licenses." (No. 1093, Int. No. 716.)

"An act to amend the Public Health Law, in relation to statements in prescriptions by physicians." (No. 1107, Int. No. 290.)

"An act to amend section two hundred and eighty of the Penal Law, in relation to corporation not to practice law." (No. 1106, Int. No. 734.)

"An act to amend section two hundred and seventy-one of the Code of Criminal Procedure to furnish the defendant in a crimi-

nal action with a transcript of the grand jury minutes in certain cases." (No. 1108, Int. No. 596.)

Mr. Manley offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on internal affairs be discharged from the further consideration of the bill (No. 651, Int. No. 615), entitled "An act to amend the County Law, in relation to the salary of the surrogate of Oneida county."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Manley moved to amend as follows:

Page 1, betwen lines 6 and 7 insert in italics: "§ 2. The county clerk of Oneida county shall prepare a question to be submitted in the same manner as other questions are submitted, to the voters of such county at the general election in November, nineteen hundred and eleven, in substantially the following form: 'Shall the surrogate of Oneida county receive an annual salary of five thousand dollars in quarterly payments?' If such question, upon the canvass of the votes thereupon after such election, receive an affirmative determination, such salary shall be increased and the time of payment established accordingly."

Page 1, line 7, insert: "§ 3. This act shall take effect January first, nineteen hundred and thirteen."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Manley, said bill was ordered reprinted and recommitted to said committee.

Mr. Foley moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Day	Hearn	McElligott	Sheide
Beach	DeLano	Herrick J J	McGrath	Shepardson
Blauvelt	Donnelly	Herrick W R	McKeon	Smith A E
Boylan	Ebbetts	Heyman	Merritt	Stivers
Brace	Egan	Higgins	Miller	Sullivan
Brennan	Fay	Hinman	Mork	Sweet
Brereton	Filley	Hoey	Murray	Talmage
Bridenbecker	Foley	Hoff	Myers	Terry
Brooks	Friedman	Hollmann	Neupert	Trombly
Brown	Geatons	Hoyt	Nolan	Walker

Bryant	Gerhardt	Huber	O'Connor	Warren
Bush	Gerken	Jackson	Oliver	Washburn
Butler	Goldberg	Jameson	O'Neill J J	Waters F A
Carew	Goldstein	Kennedy	O'Neil M A	Waters R B
Caughlan	Goodwin	Keys	Patrie	Weil
Chanler	Gould	Kopp	Phillips C W	Wende
Cheney	Graubard	Lansing	Phillips J S	Wilson
Coffey	Gray	LaReau	Piecre	Winters
Collin	Gregg	Levy J	Saunders	Yale
Colné	Gurnett	Lincoln	Schifferdecker	Young
Connell	Hackett	Macdonald	Seeley	Zorn
Cosad	Haines	Martin	Shannon	Speaker
Dawson	Hart	McDaniels	Shea	

Mr. Foley moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Ferris	Harden	McManus	Sanner	
Black	Fiero	Long	O'Brien	Wagner	
Cullen	Gittins	McClelland	Pollock		14

FOR CHAUNCEY M. DEPEW.

Argetsinger	Coats	Heacock	Ormrod	Thomas	
Bussey	Cobb	Hinman	Sage	Wainwright	10

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR M. J. O'BRIEN.

Loomis	1

FOR J. J. HOPPER.

Duhamel	6

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Hewitt with Mr. Murtaugh; Mr. Platt with Mr. C. D. Sullivan; Mr. Allen with Mr. Cronin; Mr. Emerson with Mr. Frawley; Mr. Rose with Mr. Stilwell;

Mr. Hamilton with Mr. Ramsperger; Mr. Travis with Mr. T. D. Sullivan; Mr. Walters with Mr. Griffin.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Foley	Gurnett	Levy J	Schifferdecker	
Brennan	Frisbie	Hackett	McElligott	Seeley	
Bush	Geatons	Hearn	McGrath	Sheide	
Carew	Gerhardt	Herrick J J	McKeon	Smith A E	
Caughlan	Gerken	Herrick W R	Mork	Walker	
Collin	Goldberg	Heyman	Neupert	Warren	
Dawson	Goldstein	Hoey	Oliver	Washburn	
Donnelly	Gould	Jackson	O'Neill J J	Weil	
Egan	Graubard	Jameson	O'Neil M A	Wende	
Fay	Gregg	LaReau	Patrie	Zorn	50

FOR CHAUNCEY M. DEPEW.

Adler	DeLano	Hoff	Parker J S	Sweet	
Brereton	Ebbetts	Keys	Phillips C W	Talmage	
Brooks	Filley	Kopp	Phillips J S	Waters F A	
Brown	Goodwin	Lansing	Pierce	Waters R B	
Bryant	Gray	Lincoln	Shannon	Wilson	
Butler	Haines	Macdonald	Shea	Winters	
Cheney	Hart	Merritt	Shepardson	Yale	
Coffey	Higgins	Murray	Stivers	Yeomans	
Colné	Hinman	Nolan	Sullivan	Young	
Connell					46

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN H. GLYNN.

Saunders 1

FOR M. J. O'BRIEN.

Chanler Shortt 2

FOR MARTIN W. LITTLETON.

Brace	Friedman	Hoyt	Kennedy	Terry	
Drummond	Hollmann	Huber	Martin	Trombly	10

FOR JOHN D. KERNAN.

Beach	Cosad	Miller	Myers	Wheeler	
Bridenbecker	Evans				7

FOR JOHN N. CARLISLE.

Day 1

When the roll was called the following pairs were announced:

Mr. Ahern with Mr. A. J. Levy; Mr. Allen with Mr. Boylan; Mr. Baumes with Mr. McCue; Mr. Cross with Mr. Manley; Mr.

MacGregor with Mr. Cuvillier; Mr. Lent with Mr. Donovan; Mr. Pappert with Mr. Farrell; Mr. Shlivek with Mr. Fitzpatrick; Mr. T. K. Smith with Mr. Monczynski; Mr. Goodman with Mr. Spielberg; Mr. Hammond with Mr. A. Parker; Mr. Jones with Mr. Turley; Mr. Ward with Mr. Gillen.

Whole number of votes cast	146
Necessary to a choice	74

	Senators.	Assemblymen.	Total.
For William F. Sheehan	14	50	64
For Chauncey M. Depew	10	46	56
For Alton B. Parker	0	1	1
For Martin W. Littleton	2	10	12
For Martin H. Glynn	0	1	1
For John D. Kernan	0	7	7
For M. J. O'Brien	1	2	3
For John N. Carlisle	0	1	1
For John J. Hopper	1	0	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Friday, March 17th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Friday, March 17th, at 12 o'clock noon in the Assembly Chamber.

The bill (No. 537, Int. No. 520) entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to ward boundaries," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 702, Int. No. 666) entitled "An act to legalize, ratify and confirm the acts and proceedings of the comptroller and other officers and boards of the city of Buffalo, creating, investing and reinvesting certain railroad grade crossing bond sinking funds, and to provide for the payment of grade crossing funds," was read the second time.

On motion of Mr. Dawson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 394, Int. No. 385) entitled "An act to amend chapter four hundred and seventy-nine of the Laws of eighteen hundred and ninety-five, entitled 'An act to establish a police and fire department in the village of Canastota, Madison county,' in relation to the compensation of the chief of police, policemen and special patrolmen," was read the second time.

On motion of Mr. DeLano, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 989, Int. No. 889) entitled "An act to amend chapter six hundred and eighty-four of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' relative to the laying of dust in the streets of said city," was read the second time.

On motion of Mr. Hammond, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 167, Int. No. 166) entitled "An act to amend the Greater New York charter, in relation to licensing operators of moving picture apparatus and its connections," was read the second time.

On motion of Mr. Higgins, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 991, Int. No. 892) entitled "An act to amend the General Business Law, in relation to licensing pawnbrokers in certain cities," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 995, Int. No. 896) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city

of Buffalo, in relation to the expenses of attendance upon conventions and conferences," was read the second time.

On motion of Mr. MacGregor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 972, Int. No. 881) entitled "An act to amend chapter eighty-two of the Laws of nineteen hundred and three, entitled 'An act to make the office of sheriff of Dutchess county a salaried office, and to regulate the management of said office,' in relation to the compensation of the janitor and bookkeeper in the office of said sheriff," was read the second time.

On motion of Mr. Chanler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 759, Int. No. 697) entitled "An act to amend chapter four hundred and seventy-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the city of Olean,' generally," was read the second time.

On motion of Mr. Cheney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 38, Int. No. 38) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of public officers in the city of Mount Vernon," having been announced for a second reading,

On motion of Mr. Coffey, and by unanimous consent, said bill was ordered placed on the second reading calendar for Thursday next.

The bill (No. 1010, Int. No. 911) entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' relating to the general financial provisions, local improvements, condemnation proceedings and area of assessment," was read the second time.

On motion of Mr. Coffey, said bill was placed on the order of third reading.

On motion of Mr. Coffey, and by unanimous consent, said bill was read the third time, having been printed and on the desks

of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shea
Beach	Donnelly	Hearn	McElligott	Sheide
Blauvelt	Donovan	Herrick J J	McGrath	Shepardson
Boylan	Drummond	Herrick W R	McKeon	Shortt
Brace	Ebbetts	Heyman	Merritt	Smith A E
Brennan	Egan	Higgins	Miller	Stivers
Brereton	Evans	Hinman	Mork	Sullivan
Bridenbecker	Fay	Hoey	Murray	Sweet
Brooks	Filley	Hoff	Myers	Talmage
Brown	Foley	Hollmann	Neupert	Terry
Bryant	Friedman	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Walker
Butler	Gerhardt	Jackson	Oliver	Warren
Carew	Gerken	Jameson	O'Neill J J	Washburn
Caughlan	Gillen	Kennedy	O'Neil M A	Waters F A
Chanler	Goldberg	Keys	Parker J S	Waters R B
Cheney	Goldstein	Kopp	Patrie	Weil
Coffey	Goodwin	Lansing	Phillips C W	Wende
Collin	Gould	LaReau	Phillips J S	Wilson
Colné	Graubard	Levy J	Pierce	Winters
Connell	Gray	Lincoln	Saunders	Yale
Constantine	Gregg	Macdonald	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Dawson	Hackett	Martin	Shannon	Zorn
Day	Haines	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 396, Int. No. 387) entitled "An act to amend section sixty, chapter fifty-five of the Laws of nineteen hundred and nine, being the Second Class Cities Law, entitled 'An act in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws,' relating to temporary and funded debts, as amended by chapter six hundred and ninety-two of the Laws of nineteen hundred and ten," was read the second time.

On motion of Mr. Filley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1046, Int. No. 942) entitled "An act to amend the Greater New York charter, in relation to the designation by the comptroller of the assistant deputy comptroller or a clerk to sign warrants drawn upon the city chamberlain," was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1047, Int. No. 943) entitled "An act to amend the Greater New York charter, in relation to notes to be issued in anticipation of the sale of corporate stock," was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 473, Int. No. 461) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relating to the designation of an official newspaper," was read the second time.

On motion of Mr. Gerhardt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 706, Int. No. 670) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to purchase lots, and to erect, construct, complete, enlarge and equip buildings for the use of the police and fire departments of said city," was read the second time.

On motion of Mr. Hearn, said bill was placed on the order of third reading and referred to the committee on revision.

By unanimous consent, Mr. Hinman offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the Senate bill (No. 543, Rec. No. 73), entitled "An act to amend chapter five hundred and fifty-four of the Laws of eighteen hundred and ninety-nine, entitled 'An act to establish a police pension fund for the city of Albany,' relative to regulating pensions and increasing same."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Hinman, and by unanimous consent, said bill was read the second time and ordered to a third reading.

The bill (No. 849, Int. No. 768) entitled "An act to amend chapter five hundred and fifty-four of the Laws of eighteen hundred and ninety-nine, entitled 'An act to establish a police pension fund for the city of Albany,' relative to regulating pensions and increasing same," having been announced for a second reading,

On motion of Mr. Hinman, said bill was laid aside and ordered striken from the calendar.

The bill (No. 943, Int. No. 852) entitled "An act to enable the board of supervisors of the county of Albany to grant an easement in or convey or lease a plot of ground, sufficient and adequate in size from the portion of real estate of which Albany county is now seized and possessed, known as the 'Albany Penitentiary Property,' for the purpose and to be used for the erection of a building or buildings of the Albany Medical College," was read the second time.

On motion of Mr. Hinman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 944, Int. No. 853) entitled "An act to enable the board of supervisors of the county of Albany to sell and convey to the city of Albany all of the right and title and interest of which the county of Albany is now seized and possessed in and to the real estate known as the city hall, in the city of Albany, for the purpose of acquiring funds to be used in the erection of a courthouse in and for the county of Albany," was read the second time.

On motion of Mr. Hinman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 966, Int. No. 875) entitled "An act to legalize, ratify and confirm certain bonds of the town of Philadelphia, Jefferson county, to be issued for bridge purposes and to legalize, ratify and confirm all proceedings in relation to the issuance and sale thereof; to regulate the delivery of such bonds and provide for their payment," was read the second time.

On motion of Mr. Jones, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 967, Int. No. 876) entitled "An act to amend chapter two hundred and fifty-eight of the Laws of nineteen hun-

dred and seven, entitled 'An act to provide for a police pension fund for the police force of the city of Watertown,' in relation to the composition of such fund," was read the second time.

On motion of Mr. Jones, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 996, Int. No. 897) entitled "An act to amend the Greater New York charter, relative to the fixing, determining upon and establishing line of high water and relative to the sale and exchange of lands and lands under water in connection therewith," was read the second time.

On motion of Mr. M. A. O'Neil, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 903, Int. No. 813) entitled "An act to amend the Highway Law, in relation to the course and description of State route number four," was read the second time.

On motion of Mr. Seeley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 183, Int. No. 182) entitled "An act to amend chapter one hundred and eighteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of county clerk of Oswego county a salaried office, and regulating the management of said office, and fixing the salary of said clerk and his assistants,' in relation to the salaries of the special deputy and court clerk and index clerk, in said county," was read the second time.

On motion of Mr. Sweet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 277, Int. No. 275) entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and nine, entitled 'An act to make the office of the sheriff of the county of Oswego a salaried office and to regulate the management thereof,' generally," was read the second time.

On motion of Mr. Sweet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 811, Int. No. 741) entitled "An act relating to the salaries of the members of the board of school examiners of the city of Buffalo," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading.

On motion of Mr. Wende, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shea
Beach	Donnelly	Hearn	McElligott	Sheide
Blauvelt	Donovan	Herrick J J	McGrath	Shepardson
Boylan	Drummond	Herrick W R	McKeon	Shortt
Brace	Ebbetts	Heyman	Merritt	Smith A E
Brennan	Egan	Higgins	Miller	Stivers
Brereton	Evans	Hinman	Mork	Sullivan
Bridenbecker	Fay	Hoey	Murray	Sweet
Brooks	Filley	Hoff	Myers	Talmage
Brown	Foley	Hollmann	Neupert	Terry
Bryant	Friedman	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Walker
Butler	Gerhardt	Jackson	Oliver	Warren
Carew	Gerken	Jameson	O'Neill J J	Washburn
Caughlan	Gillen	Kennedy	O'Neil M A	Waters F A
Chanler	Goldberg	Keys	Parker J S	Waters R B
Cheney	Goldstein	Kopp	Patrie	Weil
Coffey	Goodwin	Lansing	Phillips C W	Wende
Collin	Gould	LaReau	Phillips J S	Wilson
Colné	Graubard	Levy J	Pierce	Winters
Connell	Gray	Lincoln	Saunders	Yale
Constantine	Gregg	MacGregor	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Dawson	Hackett	Martin	Shannon	Zorn
Day	Haines	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 868, Int. No. 787) entitled "An act to amend chapter one hundred and seventy-three of the Laws of eighteen hundred and ninety-five, entitled 'An act fixing the fiscal year, providing for a county auditor, and regulating the purchase of supplies for the county institutions and officers of the county of Erie,' generally," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 948, Int. No. 857) entitled "An act to amend the Highway Law, in relation to the removal of weeds, brush and obstructions from the highways," was read the second time.

On motion of Mr. Wheeler, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 321, Rec. No. 51) entitled "An act to amend the County Law, in relation to the compensation of supervisors and assessors in attending meetings of the State Board of Tax Commissioners," was read the second time.

On motion of Mr. Hewitt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 844, Int. No. 763) entitled "An act to amend the Labor Law, in relation to violations thereof by officers, agents and employees of any commission appointed pursuant to law," was read the second time.

On motion of Mr. Haines, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 713, Int. No. 677) entitled "An act to amend the Greater New York charter, in relation to local improvements, giving the local boards power to cause the curbing and recurbing of sidewalks, the construction of gutters, receiving basins and inlets within their respective districts in the city of New York, when the expenses to be incurred do not exceed the sum of two thousand dollars," was read the second time.

On motion of Mr. Mork, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 149, Int. No. 148) entitled "An act to amend the Greater New York charter, so as to provide for a relief and pension fund for the benefit of the members of the clerical and uniformed forces of the department of street cleaning," having been announced for a second reading,

On motion of Mr. McGrath, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

By unanimous consent, Mr. McGrath offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill (No. 844, Int. No. 744)

entitled "An act to amend the Greater New York charter, so as to provide for a relief and pension fund for the benefit of the members of the clerical and uniformed forces of the department of street cleaning."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. McGrath, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on revision.

The bill (No. 153, Int. No. 152) entitled "An act to amend the Highway Law, in relation to State and county highways in cities of the third class, was read the second time.

On motion of Mr. Trombly, said bill was placed on the order of third reading.

On motion of Mr. Trombly, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shea
Beach	Donnelly	Hearn	McElligott	Sheide
Blauvelt	Donovan	Herrick J J	McGrath	Shepardson
Boylan	Drummond	Herrick W R	McKeon	Shortt
Brace	Ebbetts	Heyman	Merritt	Smith A E
Brennan	Egan	Higgins	Miller	Stivers
Brereton	Evans	Hinman	Mork	Sullivan
Bridenbecker	Fay	Hoey	Murray	Sweet
Brooks	Filley	Hoff	Myers	Talmage
Brown	Foley	Hollmann	Neupert	Terry
Bryant	Friedman	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Walker
Butler	Gerhardt	Jackson	Oliver	Warren
Carew	Gerken	Jameson	O'Neill J J	Washburn
Caughlan	Gillen	Kennedy	O'Neil M A	Waters F A
Chanler	Goldberg	Keys	Parker J S	Waters R B
Cheney	Goldstein	Kopp	Patrie	Weil
Coffey	Goodwin	Lansing	Phillips C W	Wende
Collin	Gould	LaReau	Phillips J S	Wilson
Colné	Graubard	Levy J	Pierce	Winters

Connell	Gray	Lincoln	Saunders	Yale
Constantine	Gregg	Macdonald	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Dawson	Hackett	Martin	Shannon	Zorn
Day	Haines	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 642, Int. No. 610) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the police pension fund of said city," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 366, Rec. No. 43) entitled "An act relating to the private use and occupation of a part of Van Rensselaer street in the city of Buffalo underneath a viaduct structure which carries the roadway of said street over its former grade," was read the second time.

On motion of Mr. Hearn, said bill was placed on the order of third reading.

On motion of Mr. Hearn, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shea
Beach	Donnelly	Hearn	McElligott	Sheide
Blauvelt	Donovan	Herrick J J	McGrath	Shepardson
Boylan	Drummond	Herrick W R	McKeon	Shortt
Brace	Ebbetts	Heyman	Merritt	Smith A E
Brennan	Egan	Higgins	Miller	Stivers
Brereton	Evans	Hinman	Mork	Sullivan
Bridenbecker	Fay	Hoey	Murray	Sweet
Brooks	Filley	Hoff	Myers	Talmage
Brown	Foley	Hollmann	Neupert	Terry

Bryant	Friedman	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Walker
Butler	Gerhardt	Jackson	Oliver	Warren
Carew	Gerken	Jameson	O'Neill J J	Washburn
Caughlan	Gillen	Kennedy	O'Neil M A	Waters F A
Chanler	Goldberg	Keys	Parker J S	Waters R B
Cheney	Goldstein	Kopp	Patrie	Weil
Coffey	Goodwin	Lansing	Phillips C W	Wende
Collin	Gould	LaReau	Phillips J S	Wilson
Colné	Graubard	Levy J	Pierce	Winters
Connell	Gray	Lincoln	Saunders	Yale
Constantine	Gregg	Macdonald	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Dawson	Hackett	Martin	Shannon	Zorn
Day	Haines	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 44, Rec. No. 44) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction, and providing for its officers,' with regard to the election and qualification of judges of said court, was read the second time.

On motion of Mr. Hearn, said bill was placed on the order of third reading.

On motion of Mr. Hearn, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shea
Beach	Donnelly	Hearn	McElligott	Sheide
Blauvelt	Donovan	Herrick J J	McGrath	Shepardson
Boylan	Drummond	Herrick W R	McKeon	Shortt
Brace	Ebbetts	Heyman	Merritt	Smith A E
Brennan	Egan	Higgins	Miller	Stivers
Brereton	Evans	Hinman	Mork	Sullivan
Bridenbecker	Fay	Hoey	Murray	Sweet

Brooks	Filley	Hoff	Myers	Talmage
Brown	Foley	Hollmann	Neupert	Terry
Bryant	Friedman	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Walker
Butler	Gerhardt	Jackson	Oliver	Warren
Carew	Gerken	Jameson	O'Neill J J	Washburn
Caughlan	Gillen	Kennedy	O'Neil M A	Waters F A
Chanler	Goldberg	Keys	Parker J S	Waters R B
Cheney	Goldstein	Kopp	Patrie	Weil
Coffey	Goodwin	Lansing	Phillips C W	Wende
Collin	Gould	LaReau	Phillips J S	Wilson
Colné	Graubard	Levy J	Pierce	Winters
Connell	Gray	Lincoln	Saunders	Yale
Constantine	Gregg	Macdonald	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Dawson	Hackett	Martin	Shannon	Zorn
Day	Haines	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 590, Rec. No. 62) entitled "An act to amend the Greater New York charter, in relation to notice to be given to the people of the State of New York and to the city of New York on the foreclosure of tax liens," was read the second time.

On motion of Mr. Chanler, said bill was placed on the order of third reading.

On motion of Mr. Chanler, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shea
Beach	Donnelly	Hearn	McElligott	Sheide
Blauvelt	Donovan	Herrick J J	McGrath	Shepardson
Boylan	Drummond	Herrick W R	McKeon	Shortt
Brace	Ebbetts	Heyman	Merritt	Smith A E
Brennan	Egan	Higgins	Miller	Stivers
Brereton	Evans	Hinman	Mork	Sullivan
Bridenbecker	Fay	Hoey	Murray	Sweet
Brooks	Filley	Hoff	Myers	Talmage
Brown	Foley	Hollmann	Neupert	Terry

Bryant	Friedman	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Walker
Butler	Gerhardt	Jackson	Oliver	Warren
Carew	Gerken	Jameson	O'Neill J J	Washburn
Caughlan	Gillen	Kennedy	O'Neil M A	Waters F A
Chanler	Goldberg	Keys	Parker J S	Waters R B
Cheney	Goldstein	Kopp	Patrie	Weil
Coffey	Goodwin	Lansing	Phillips C W	Wende
Collin	Gould	LaReau	Phillips J S	Wilson
Colné	Graubard	Levy J	Pierce	Winters
Connell	Gray	Lincoln	Saunders	Yale
Constantine	Gregg	Macdonald	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Dawson	Hackett	Martin	Shannon	Zorn
Day	Haines	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1018, Int. No. 34) entitled "An act to amend the Highway Law, relative to a renewal license of chauffeurs," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 710, Int. No. 674) entitled "An act to legalize, ratify and confirm bonds of the city of Buffalo, heretofore authorized and issued," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shea
Beach	Donnelly	Hearn	McElligott	Sheide
Blauvelt	Donovan	Herrick J J	McGrath	Shepardson
Boylan	Drummond	Herrick W R	McKeon	Shortt
Brace	Ebbetts	Heyman	Merritt	Smith A E
Brennan	Egan	Higgins	Miller	Stivers
Brereton	Evans	Hinman	Mork	Sullivan
Bridenbecker	Fay	Hoey	Murray	Sweet
Brooks	Filley	Hoff	Myers	Talmage
Brown	Foley	Hollmann	Neupert	Terry
Bryant	Friedman	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Walker

Butler	Gerhardt	Jackson	Oliver	Warren
Carew	Gerken	Jameson	O'Neill J J	Washburn
Caughlan	Gillen	Kennedy	O'Neil M A	Waters F A
Chanler	Goldberg	Keys	Parker J S	Waters R B
Cheney	Goldstein	Kopp	Patrie	Weil
Coffey	Goodwin	Lansing	Phillips C W	Wende
Collin	Gould	LaReau	Phillips J S	Wilson
Colné	Graubard	Levy J	Pierce	Winters
Connell	Grav	Lincoln	Saunders	Yale
Constantine	Gregg	Macdonald	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Dawson	Hackett	Martin	Shannon	Zorn
Day	Haines	McCue		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 672, Int. No. 637) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of certain sewers and a sewage disposal plant therefor and to the issue of bonds therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shea
Beach	Donnelly	Hearn	McElligott	Sheide
Blauvelt	Donovan	Herrick J J	McGrath	Shepardson
Boylan	Drummond	Herrick W R	McKeon	Shortt
Brace	Ebbetts	Heyman	Merritt	Smith A E
Brennan	Egan	Higgins	Miller	Stivers
Brereton	Evans	Hinman	Mork	Sullivan
Bridenbecker	Fay	Hoey	Murray	Sweet
Brooks	Filley	Hoff	Myers	Talmage
Brown	Foley	Hollmann	Neupert	Terry
Bryant	Friedman	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Walker
Butler	Gerhardt	Jackson	Oliver	Warren
Carew	Gerken	Jameson	O'Neill J J	Washburn
Caughlan	Gillen	Kennedy	O'Neil M A	Waters F A
Chanler	Goldberg	Keys	Parker J S	Waters R B
Cheney	Goldstein	Kopp	Patrie	Weil
Coffey	Goodwin	Lansing	Phillips C W	Wende
Collin	Gould	LaReau	Phillips J S	Wilson

Colné	Graubard	Levy J	Pierce	Winters
Connell	Gray	Lincoln	Saunders	Yale
Constantine	Gregg	Macdonald	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Dawson	Hackett	Martin	Shannon	Zorn
Day	Haines	McCue		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1074, Int. 829) entitled "An act to amend the Penal Law, in relation to Sunday observance," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Haines	McCue	Shea
Beach	Donnelly	Hart	McDaniels	Sheide
Blauvelt	Donovan	Hearn	McElligott	Shepardson
Boylan	Drummond	Herrick J J	McGrath	Shortt
Brace	Ebbetts	Herrick W R	McKeon	Smith A E
Brennan	Egan	Heyman	Merritt	Stivers
Brereton	Evans	Higgins	Miller	Sullivan
Bridenbecker	Farrell	Hinman	Mork	Sweet
Brooks	Fay	Hoey	Murray	Talmage
Brown	Filley	Hoff	Myers	Terry
Bryant	Foley	Hollmann	Neupert	Trombly
Bush	Friedman	Hoyt	Nolan	Walker
Butler	Geatons	Huber	O'Connor	Warren
Carew	Gerhardt	Jackson	Oliver	Washburn
Caughlan	Gerken	Jameson	O'Neill J J	Waters F A
Chanler	Gillen	Kennedy	O'Neil M A	Waters R B
Cheney	Goldberg	Keys	Parker J S	Weil
Coffey	Goldstein	Kopp	Patrie	Wende
Collin	Goodwin	Lansing	Phillips C W	Wilson
Colné	Gould	LaReau	Phillips J S	Winters
Connell	Graubard	Levy J	Pierce	Yale
Constantine	Gray	Lincoln	Saunders	Yeomans
Cosad	Gregg	Macdonald	Schifferdecker	Young
Dawson	Gurnett	Manley	Seeley	Zorn
Day	Hackett	Martin	Shannon	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1059, Int. No. 690) entitled "An act to amend

the Greater New York charter, in relation to city marshals," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shea
Beach	Donnelly	Hearn	McElligott	Sheide
Blauvelt	Donovan	Herrick J J	McGrath	Shepardson
Boylan	Drummond	Herrick W R	McKeon	Shortt
Brace	Ebbetts	Heyman	Merritt	Smith A E
Brennan	Egan	Higgins	Miller	Stivers
Brereton	Evans	Hinman	Mork	Sullivan
Bridenbecker	Fay	Hoey	Murray	Sweet
Brooks	Filley	Hoff	Myers	Talmage
Brown	Foley	Hollmann	Neupert	Terry
Bryant	Friedman	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Walker
Butler	Gerhardt	Jackson	Oliver	Warren
Carew	Gerken	Jameson	O'Neill J J	Washburn
Caughlan	Gillen	Kennedy	O'Neil M A	Waters F A
Chanler	Goldberg	Keys	Parker J S	Waters R B
Cheney	Goldstein	Kopp	Patrie	Weil
Coffey	Goodwin	Lansing	Phillips C W	Wende
Collin	Gould	LaReau	Phillips J S	Wilson
Colné	Graubard	Levy J	Pierce	Winters
Connell	Gray	Lincoln	Saunders	Yale
Constantine	Gregg	Macdonald	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Dawson	Hackett	Martin	Shannon	Zorn
Day	Haines	McCue		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1060, Int. No. 706) entitled "An act to amend the Greater New York charter, in relation to pensions to members of the police force," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shea
Beach	Donnelly	Hearn	McElligott	Sheide
Blauvelt	Donovan	Herrick J J	McGrath	Shepardson
Boylan	Drummond	Herrick W R	McKeon	Shortt
Brace	Ebbetts	Heyman	Merritt	Smith A E
Brennan	Egan	Higgins	Miller	Stivers
Brereton	Evans	Hinman	Mork	Sullivan
Bridenbecker	Fay	Hoey	Murray	Sweet
Brooks	Filley	Hoff	Myers	Talmage
Brown	Foley	Hollmann	Neupert	Terry
Bryant	Friedman	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Walker
Butler	Gerhardt	Jackson	Oliver	Warren
Carew	Gerken	Jameson	O'Neill J J	Washburn
Caughlan	Gillen	Kennedy	O'Neil M A	Waters F A
Chanler	Goldberg	Keys	Parker J S	Waters R B
Cheney	Goldstein	Kopp	Patrie	Weil
Coffey	Goodwin	Lansing	Phillips C W	Wende
Collin	Gould	LaBeau	Phillips J S	Wilson
Colné	Graubard	Levy J	Pierce	Winters
Connell	Gray	Lincoln	Saunders	Yale
Constantine	Gregg	Macdonald	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Dawson	Hackett	Martin	Shannon	Zorn
Day	Haines	McCue		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March* 14, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 280, Int. No. 278), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to salaries."

JOHN A. DIX.

Said bill having been announced, Mr. C. W. Phillips moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the

members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shea
Beach	Donnelly	Hearn	McElligott	Sheide
Blauvelt	Donovan	Herrick J J	McGrath	Shepardson
Boylan	Drummond	Herrick W R	McKeon	Shortt
Brace	Ebbetts	Heyman	Merritt	Smith A E
Brennan	Egan	Higgins	Miller	Stivers
Brereton	Evans	Hinman	Mork	Sullivan
Bridenbecker	Fay	Hoey	Murray	Sweet
Brooks	Filley	Hoff	Myers	Talmage
Brown	Foley	Hollmann	Neupert	Terry
Bryant	Friedman	Hoyt	Nolan	Trombly
Bush	Geatons	Huber	O'Connor	Walker
Butler	Gerhardt	Jackson	Oliver	Warren
Carew	Gerken	Jameson	O'Neill J J	Washburn
Caughlan	Gillen	Kennedy	O'Neil M A	Waters F A
Chanler	Goldberg	Keys	Parker J S	Waters R B
Cheney	Goldstein	Kopp	Patrie	Weil
Coffey	Goodwin	Lansing	Phillips C W	Wende
Collin	Gould	LaReau	Phillips J S	Wilson
Colné	Graubard	Levy J	Pierce	Winters
Connell	Gray	Lincoln	Saunders	Yale
Constantine	Gregg	Macdonald	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Dawson	Hackett	Martin	Shannon	Zorn
Day	Haines	McCue		

Mr. C. W. Phillips moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

Page 2, strike out the brackets.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.
ALBANY, *March* 1, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 101, Int.

No. 101), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the fire pension fund."

JOHN A. DIX.

Said bill having been announced, Mr. C. W. Phillips moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hart	McDaniels	Shea
Beach	Donnelly	Hearn	McElligott	Sheide
Blauvelt	Donovan	Herrick J J	McGrath	Shepardson
Boylan	Drummond	Herrick W R	McKeon	Shortt
Brace	Ebbetts	Heyman	Merritt	Smith A E
Brennan	Egan	Higgins	Miller	Stivers
Brereton	Evans	Hinman	Mork	Sullivan
Bridenbecker	Fay	Hoey	Murray	Sweet
Brooks	Filley	Hoff	Myers	Talmage
Brown	Foley	Hollmann	Neupert	Terry
Bryant	Friedman	Hoyt	Nolan	Tormbly
Bush	Geatons	Huber	O'Connor	Walker
Butler	Gerhardt	Jackson	Oliver	Warren
Carew	Gerken	Jameson	O'Neill J J	Washburn
Caughlan	Gillen	Kennedy	O'Neil M A	Waters F A
Chanler	Goldberg	Keys	Parker J S	Waters R B
Cheney	Goldstein	Kopp	Patrie	Weil
Coffey	Goodwin	Lansing	Phillips C W	Wende
Collin	Gould	LaReau	Phillips J S	Wilson
Colné	Graubard	Levy J	Pierce	Winters
Connell	Gray	Lincoln	Saunders	Yale
Constantine	Gregg	MacGregor	Schifferdecker	Yeomans
Cosad	Gurnett	Manley	Seeley	Young
Dawson	Hackett	Martin	Shannon	Zorn
Day	Haines	McCue		

Mr. C. W. Phillips moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

Page 1, line 1, strike out "Section" and strike out ", subdivision," and insert before "three" the words "Subdivision (b) of subdivision two of section".

Page 1, line 2, strike out "two (b),".

Page 1, line 4, after the quotation marks insert the following: "as amended by chapter three hundred and sixty-eight of the Laws of nineteen hundred and eight,".

Page 2, lines 1 and 2, inclose with brackets the words ", and who has attained the age of fifty years ".

Page 2, line 11, after " or " insert in italics the words " in his discretion ".

Page 2, line 13, strike out everything after " man,".

Page 2, line 14, strike out everything before the syllable " pro-".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Brown offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 442, Int. No. 433), entitled "An act to amend chapter forty-two of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of Cortland county a salaried office and to regulate the management of said office,' in relation to certain expenses of the sheriff," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Winters offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 800, Int. No. 133), entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 55, Int. No. 55), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section six of article three of the Constitution, in relation to the compensation of members of the Legislature," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Secretary of State.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 442, Int. No. 433), entitled "An act to amend chapter forty-two of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of Cortland county a salaried office and to regulate the management of said office,' in relation to certain expenses of the sheriff," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 800, Int. No. 133), entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. A. E. Smith, the House adjourned until Friday, March 17th, at 11 o'clock A. M.

FRIDAY, MARCH 17, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Thomas O. Grieves, Greenwich.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Fiscal Supervisor of State Charities, which was laid upon the table and ordered printed.

(See Assembly Document No. 39.)

The Senate sent for concurrence the following entitled bills:

"An act to amend section sixty, chapter fifty-five of the Laws of nineteen hundred and nine, being the Second Class Cities Law, entitled 'An act in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws,' relating to temporary and funded debts, as amended by chapter six hundred and ninety-two of the Laws of nineteen hundred and ten" (No. 289, Rec. No. 77), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Town Law, in relation to division fences" (No. 589, Rec. No. 78), which was read the first time and referred to the committee on internal affairs.

Mr. Beach introduced a bill entitled "An act to amend chapter one hundred and eleven of the Laws of eighteen hundred and fifty-one, entitled 'An act to amend the several acts incorporating the village of Owego in the county of Tioga,' in relation to creating a board of cemetery commissioners for said village and defining their powers and duties, and providing for their salaries and the maintenance of Evergreen cemetery at the expense of said village" (Int. No. 1057), which was read the first time and referred to the committee on affairs of villages.

Mr. Blauvelt introduced a bill entitled "An act to amend the Forest, Fish and and Game Law, in relation to the sale of game" (Int. No. 1058), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Boylan introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to statements upon application for

liquor tax certificates, prohibited persons, corporations, associations or copartnerships, and penalties for violations" (Int. No. 1059), which was read the first time and referred to the committee on excise.

Mr. Brooks introduced a bill entitled "An act to amend the Personal Property Law, relative to lenders of money on salaries" (Int. No. 1060), which was read the first time and referred to the committee on codes.

Mr. Dawson introduced a bill entitled "An act to release to the heirs-at-law of John Elliott all the right, title and interest of the people of the State of New York in and to certain real estate, formerly owned by Matilda Clifton, deceased, in the city of Buffalo" (Int. No. 1061), which was read the first time and referred to the committee on ways and means.

Mr. Fay introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to violations by agents of the holder of a liquor tax certificate" (Int. No. 1062), which was read the first time and referred to the committee on excise.

Mr. Hackett introduced a bill entitled "An act to amend the Greater New York charter, in relation to the uniformed force of the fire department" (Int. No. 1063), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Liquor Tax Law, in relation to jurisdiction of courts of special sessions in the city and county of New York" (Int. No. 1064), which was read the first time and referred to the committee on excise.

Also, "An act to amend the Liquor Tax Law, in relation to the issuance and transfer of liquor tax certificates and abandonment notices" (Int. No. 1065), which was read the first time and referred to the committee on excise.

Mr. Hoff introduced a bill entitled "An act to amend the Lien Law, in relation to mechanics' liens" (Int. No. 1066), which was read the first time and referred to the committee on the judiciary.

Mr. Jackson introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to local option in towns and villages" (Int. No. 1067), which was read the first time and referred to the committee on excise.

Mr. J. Levy introduced a bill entitled "An act to amend the

Executive Law, in relation to the payment of counsel employed by the Attorney-General" (Int. No. 1068), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Executive Law, in relation to the Attorney-General" (Int. No. 1069), which was read the first time and referred to the committee on the judiciary.

Mr. McCue introduced a bill entitled "An act to amend the Penal Law, in relation to certain usurious loans" (Int. No. 1070), which was read the first time and referred to the committee on codes.

Mr. Merritt introduced a bill entitled "An act to amend the Tax Law, in relation to the levy and collection of a poll tax" (Int. No. 1071), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend section seventy-three of the Forest, Fish and Game Law, by adding the town of Hopkinton, Saint Lawrence county, to be subject to the provisions of said section" (Int. No. 1072), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Oliver introduced a bill entitled "An act to amend the Executive Law, in relation to examiners in the office of the Comptroller" (Int. No. 1073), which was read the first time and referred to the committee on ways and means.

Mr. Shortt introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for hares and rabbits in Richmond county" (Int. No. 1074), which was read the first time and referred to the committee on forestry, fisheries and game.

Also, "An act to amend section fifty-six and to repeal section one hundred and forty of chapter five hundred and two of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to arrest" (Int. No. 1075), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to abolishing arrest or imprisonment in certain civil actions and special proceedings" (Int. No. 1076), which was read the first time and referred to the committee on codes.

Mr. Walker introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to posting liquor tax certificates, sale of liquor tax certificates and to changing the place of traffic" (Int. No. 1077), which was read the first time and referred to the committee on excise.

Also, "An act to amend the act, entitled 'An act in relation to the inferior courts of criminal jurisdiction in the city of New York, defining their powers and jurisdiction and providing for their officer,' in relation to the time that an applicant for a certificate that the charge should be prosecuted by indictment may have in which to serve notice on the district attorney" (Int. No. 1078), which was read the first time and referred to the committee on codes.

Mr. Ward introduced a bill entitled "An act to amend the Election Law, in relation to the conduct of primary elections in cities containing a population of one million or over" (Int. No. 1079), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Election Law, in relation to the custody and filing of registers and poll books during and after registration and election in cities containing a population of one million or more" (Int. No. 1080), which was read the first time and referred to the committee on the judiciary.

Mr. Young introduced a bill entitled "An act to amend the Town Law, in relation to appointment, powers and duties of an acting supervisor" (Int. No. 1081), which was read the first time and referred to the committee on internal affairs.

Mr. Wilson introduced a bill entitled "An act to amend chapter three hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Geneva,' in relation to the police pension fund" (Int. No. 1082), which was read the first time and referred to the committee on affairs of cities.

Mr. C. W. Phillips introduced a bill entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' generally" (Int. No. 1083), which was read the first time and referred to the committee on affairs of cities.

Mr. Boylan introduced a bill entitled "An act to repeal portions of chapter two hundred and sixteen of the Laws of eighteen hundred and forty-six, entitled 'An act to authorize the construction of a railroad from New York to Albany,' and acts amendatory thereof and supplemental thereto, and to forbid the use of certain thoroughfares by steam surface railroads in New York city and authorize the relocation of such railroads by agreement with said city" (Int. No. 1084), which was read the first time and referred to the committee on railroads.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Chanler (No. 972, Int. No. 881), entitled "An act to amend chapter eighty-two of the Laws of nineteen hundred and three, entitled 'An act to make the office of sheriff of Dutchess county a salaried office, and to regulate the management of said office,' in relation to the compensation of the janitor and bookkeeper in the office of said sheriff."

Also, the bill introduced by Mr. Hinman (No. 944, Int. No. 853), entitled "An act to enable the board of supervisors of the county of Albany to sell and convey to the city of Albany all of the right and title and interest of which the county of Albany is now seized and possessed in and to the real estate known as the city hall, in the city of Albany, for the purpose of acquiring funds to be used in the erection of a courthouse in and for the county of Albany."

Also, the bill introduced by Mr. Wheeler (No. 948, Int. No. 857), entitled "An act to amend the Highway Law, in relation to the removal of weeds, brush and obstructions from the highways."

Also, the bill introduced by Mr. DeLano (No. 394, Int. No. 385), entitled "An act to amend chapter four hundred and seventy-nine of the Laws of eighteen hundred and ninety-five, entitled 'An act to establish a police and fire department in the village of Canastota, Madison county,' in relation to the compensation of the chief of police, policemen and special patrolmen."

Also, the bill introduced by Mr. Sweet (No. 277, Int. No. 275), entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and nine, entitled 'An act to

make the office of the sheriff of the county of Oswego a salaried office and to regulate the management thereof,' generally."

Also, the bill introduced by Mr. Seeley (No. 903, Int. No. 813), entitled "An act to amend the Highway Law, in relation to the course and description of State route number four."

Also, the bill introduced by Mr. Hearn (No. 706, Int. No. 670), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to purchase lots, and to erect, construct, complete, enlarge and equip buildings for the use of the police and fire departments of said city."

Also, the bill introduced by Mr. Cheney (No. 759, Int. No. 697), entitled "An act to amend chapter four hundred and seventy-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the city of Olean,' generally."

Also, the bill introduced by Mr. Hammond (No. 989, Int. No. 889), entitled "An act to amend chapter six hundred and eighty-four of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' relative to the laying of dust in the streets of said city."

Also, the bill introduced by Mr. Dawson (No. 702, Int. No. 666), entitled "An act to legalize, ratify and confirm the acts and proceedings of the comptroller and other officers and boards of the city of Buffalo, creating, investing and reinvesting certain railroad grade crossing bond sinking funds, and to provide for the payment of grade crossing bonds."

Also, the bill introduced by Mr. Higgins (No. 167, Int. No. 166), entitled "An act to amend the Greater New York charter, in relation to licensing operators of moving picture apparatus and its connections."

Also, the bill introduced by Mr. Foley (No. 1046, Int. No. 942), entitled "An act to amend the Greater New York charter, in relation to the designation by the comptroller of the assistant deputy comptroller or a clerk to sign warrants drawn upon the city chamberlain."

Also, the bill introduced by Mr. Foley (No. 1047, Int. No. 943), entitled "An act to amend the Greater New York charter, in relation to notes to be issued in anticipation of the sale of corporate stock."

Also, the bill introduced by Mr. Hinman (No. 943, Int. No. 852), entitled "An act to enable the board of supervisors of the county of Albany to grant an easement in or convey or lease a plot of ground, sufficient and adequate in size from the portion of real estate of which Albany county is now seized and possessed, known as the 'Albany Penitentiary Property' for the purpose and to be used for the erection of a building or buildings of the Albany Medical College."

Also, the bill introduced by Mr. Gerhardt (No. 473, Int. No. 461), entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relating to the designation of an official newspaper."

Also, the bill introduced by Mr. Haines (No. 844, Int. No. 763), entitled "An act to amend the Labor Law, in relation to violations thereof by officers, agents and employees of any commission appointed pursuant to law."

Also, the bill introduced by Mr. Bush (No. 537, Int. No. 520), entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to ward boundaries."

Also, the bill introduced by Mr. Sweet (No. 183, Int. No. 182), entitled "An act to amend chapter one hundred and eighteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of county clerk of Oswego county a salaried office, and regulating the management of said office, and fixing the salary of said clerk and his assistants,' in relation to the salaries of the special deputy and court clerk and index clerk, in said county."

Also, the bill introduced by Mr. Jones (No. 967, Int. No. 876), entitled "An act to amend chapter two hundred and fifty-eight of the Laws of nineteen hundred and seven, entitled 'An act to provide for a police pension fund for the police force of the city of Watertown,' in relation to the composition of such fund."

Also, the bill introduced by Mr. McGrath (No. 814, Int. No. 744), entitled "An act to amend the Greater New York charter, so as to provide for a relief and pension fund for the benefit of the members of the clerical and uniformed forces of the department of

street cleaning," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Wende (No. 868, Int. No. 787), entitled "An act to amend chapter one hundred and seventy-three of the Laws of eighteen hundred and ninety-five, entitled 'An act fixing the fiscal year, providing for a county auditor, and regulating the purchase of supplies for the county institutions and officers of the county of Erie,' generally," reported the same with the following recommendations:

On page 3, line 11, insert " shall be known " after " nated ".

On page 7, line 25, strike out " unpaid " and insert " unexpended ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Mork (No. 713, Int. No. 677), entitled "An act to amend the Greater New York charter, in relation to local improvements, giving the local boards power to cause the curbing and recurbing of sidewalks, the construction of gutters, receiving basins and inlets within their respective districts in the city of New York, when the expenses to be incurred do not exceed the sum of two thousand dollars," reported the same with the following recommendation:

On page 2, line 8, insert " duly " after " been ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. MacGregor (No. 995, Int. No. 896), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the expenses of attendance upon conventions and conferences," reported the same with the following recommendation:

On page 1, line 6, insert comma after " purpose ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Filley (No. 396, Int. No. 387), entitled "An act to amend section sixty, chapter fifty-five, of the Laws of nineteen hundred and nine, being the Second Class Cities Law, entitled 'An act in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws,' relating to temporary and funded debts, as amended by chapter six hundred and ninety-two of the Laws of nineteen hundred and ten," reported the same with the following recommendation:

On page 1, change title of bill to read: "To amend the Second Class Cities Law, relating to temporary and funded debts."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. M. A. O'Neil (No. 996, Int. No. 897), entitled "An act to amend the Greater New York charter, relative to the fixing, determining upon and establishing line of high water and relative to the sale and exchange of lands and lands under water in connection therewith," reported the same with the following recommendation:

On page 3, line 6, change "such" to "said".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Jones (No. 966, Int. No. 875), entitled "An act to legalize, ratify and confirm certain bonds of the town of Philadelphia, Jefferson county, to be issued for bridge purposes and to legalize, ratify and confirm all proceedings in relation to the issuance and sale thereof; to regulate the delivery of such bonds and provide for their payment," reported the same with the following recommendation:

On page 2, line 26, strike out "is" and insert "were".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Wende (No. 642, Int. No. 610), entitled "An act to amend chapter one hundred and five of

the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the police pension fund of said city," reported the same with the following recommendation:

On page 4, strike out line 3, and insert "of this act shall be guilty of perjury. The said police pension ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Jackson (No. 991, Int. No. 892), entitled "An act to amend the General Business Law, in relation to licensing pawnbrokers in certain cities," reported the same with the following recommendation:

On page 1, line 9, insert comma after " broker ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Brennan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill (No. 840, Int. No. 759), entitled "An act to amend the Greater New York charter, in relation to pensions of members of the fire department."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Brennan moved to amend as follows:

Page 2, line 13, after the word " disability " strike out the words in italics " by reason of the loss of an arm or leg, or both."

Page 2, line 15, after the word " position " strike out the bracket.

Page 2, line 17, after the word " department " strike out the bracket.

Page 2, line 18, after the word " than " strike out the first half of the bracket, and after the word " one-half " strike out the second half of bracket.

Page 2, line 18, after the bracket strike out the words in italics " three-quarters ".

Page 2, line 20, after the word " service " strike out the words in italics " or any other disability which may occur after ten

years' active and continuous service in the said fire department, the amount of annual pension to be allowed shall be not more than one-half of the annual compensation allowed such officer or member as salary at the date of his retirement from the service".

Page 2, line 26, after the word "warrant" add new matter in italics as follows: "In case of total permanent disability by reason of the loss of an arm or leg or both or loss of eyesight at any time caused in or induced by the actual performance of the duties of his position the amount of annual pension to be allowed shall be not less than three-quarters of the annual compensation allowed such officer or member as salary at the date of his retirement from the service."

Page 3, line 1, insert the first half of a bracket before the word "But".

Page 3, line 5, insert the second half of the bracket after the word "fireman".

Page 3, line 10, strike out all words in italics; line 11, strike out "half"; line 14, insert bracket before word "In".

Page 4, line 4, strike out the word "retired" and both brackets; line 5, strike out bracket; line 8, strike out bracket; line 11, strike out word "retired" and both brackets; line 13, insert bracket after the word "warrant".

Page 4, line 15, after the word "of" strike out the word in italics "twenty-five".

Page 4, line 16, after the number strike out the first half of the bracket, and after the word "twenty" (old law) strike out the second half of the bracket.

Page 4, line 19, remove the bracket from the words "and dismissed".

Page 4, line 23, after the word "not" strike out the word "exceeding" and remove the brackets from the words "less than".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Brennan, said bill was ordered reprinted and recommitted to said committee.

The bill (No. 441, Int. No. 432) entitled "An act to amend the General Business Law, in relation to rate of interest to be demanded or received by a pawnbroker," having been announced for a second reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 599, Int. No. 577) entitled "An act to amend the Education Law, in relation to the establishment of a State school of sanitary science and public health at Cornell University, and making an appropriation therefor," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 299, Int. No. 298) entitled "An act to amend the Poor Law, in relation to the burial of soldiers, sailors and marines and to marking their graves with headstones," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 637, Int. No. 605) entitled "An act to amend the Agricultural Law, in relation to information to be furnished to persons dealing in products whose manufacture or sale, or keeping of which is regulated or forbidden by the Agricultural Law," was read the second time.

On motion of Mr. Butler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 496, Int. No. 485) entitled "An act to release to Alfredo Barili all of the right, title and interest of the people of the State of New York in and to certain real estate situated in the city of Yonkers, county of Westchester, and State of New York, acquired by escheat or otherwise upon the death of Carlo Scola, and Carlo Scola, his son," having been announced for a second reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 745, Int. No. 683) entitled "An act to amend the Public Officers Law, in relation to holidays and the hours of employees of the State and the various subdivisions thereof, and the compensation therefor," was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 616, Int. No. 588) entitled "An act to amend the Code of Civil Procedure, in relation to exemptions and executions," was read the second time.

On motion of Mr. Hearn, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 462, Int. No. 453) entitled "An act to amend chapter two hundred and sixty-nine of the Laws of eighteen hundred and seventy-two, entitled 'An act authorizing the construction of a bridge across the Hudson river at the city of Albany, and incorporating the "Albany and Greenbush Bridge Company,"' in relation to rates of toll to be charged by said company or its successors, including the Albany Southern Railroad Company, and the sale of tickets," having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 781, Int. No. 714) entitled "An act to amend the Agricultural Law, in relation to manufacture and sale of spirits of turpentine, turpentine and linseed and flaxseed oil," was read the second time.

On motion of Mr. McCue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 901, Int. No. 811) entitled "An act to amend the Code of Civil Procedure, in relation to the sale of real property pursuant to a judgment," was read the second time.

On motion of Mr. Mork, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 900, Int. No. 810) entitled "An act to amend the Code of Civil Procedure, in relation to judgment upon appeal from a justice's court," was read the second time.

On motion of Mr. Miller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1056, Int. No. 952) entitled "An act making an appropriation for the New York School of Agriculture of the Saint Lawrence University for the general purposes thereof," was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 526, Int. No. 511) entitled "An act to legalize

and confirm the official acts of notaries public and commissioners of deeds," was read the second time.

On motion of Mr. Pappert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 584, Int. No. 562) entitled "An act making an appropriation for the National Encampment of the Grand Army of the Republic to be held in the city of Rochester, in the month of August, nineteen hundred and eleven," was read the second time.

On motion of Mr. C. W. Phillips, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 414, Int. No. 405) entitled "An act to release to Emil Riese all the right, title and interest of the people of the State of New York in and to certain real estate in the borough of Brooklyn, city of New York, county of Kings and State of New York," was read the second time.

On motion of Mr. Schifferdecker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 874, Int. No. 793) entitled "An act reappropriating an unexpended balance for the improvement of the canals," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 959, Int. No. 868) entitled "An act making an appropriation for the completion of the statutory record of the special statutes of the State authorized by chapter five hundred and thirteen of the Laws of nineteen hundred and ten," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1052, Int. No. 948) entitled "An act making an appropriation for the deportation of alien and nonresident lunatics to other countries and States, and for the office expenses of the State Commission in Lunacy," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 339, Int. No. 338) entitled "An act to provide for the purchase of additional lands for the armory of the Thirty-

fourth Separate Company of the National Guard at the city of Geneva and making an appropriation therefor," was read the second time.

On motion of Mr. Wilson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 695, Int. No. 659) entitled "An act to grant to the city of Geneva all the interest of the people of the State of New York in certain lands formerly under the waters of Seneca lake, but which have been partially filled in," was read the second time.

On motion of Mr. Wilson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 490, Int. No. 478) entitled "An act to regulate the fares for foot passengers on the ferry operated between Ninety-second street, New York, and Astoria, Long Island," having been announced for a second reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 625, Int. No. 597) entitled "An act to legalize, ratify and confirm the incorporation of the Winfield Athletic Club and its corporate acts and those of its trustees, including amendments to its certificate of incorporation," was read the second time.

On motion of Mr. Zorn, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 669, Rec. No. 64) entitled "An act to amend the State Boards and Commissions Law, relative to notice, plans, specifications and map," was read the second time.

On motion of Mr. Oliver, said bill was placed on the order of third reading.

The Senate bill (No. 240, Rec. No. 41) entitled "An act authorizing and directing the Comptroller to revise and resettle accounts for taxes paid under the provisions of section one hundred and eighty-seven-a of the Tax Law for the year ending June thirtieth, nineteen hundred and eight," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading.

The Senate bill (No. 304, Rec. No. 67) entitled "An act to amend the Penal Law, in relation to processions on Sunday in cities," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading.

The bill (No. 423, Int. No. 418) entitled "An act to amend the Insurance Law, in relation to the character of the automobile indemnity which may be assumed by fire and marine insurance corporations," was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 749, Int. No. 687) entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season," was read the second time.

On motion of Mr. T. K. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 489, Int. No. 477) entitled "An act to amend the Tax Law, in relation to the salary of the transfer tax clerk of the county of Queens," was read the second time.

On motion of Mr. Zorn, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2, Int. No. 2) entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for certain wild fowl on Long Island," was read the second time.

On motion of Mr. Sheide, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 157, Int. No. 156) entitled "An act to amend the Railroad Law, in relation to the construction of street surface railroads upon grounds occupied by public buildings or in public parks," was read the second time.

On motion of Mr. Caughlan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1054, Int. No. 950) entitled "An act to amend the Public Service Commissions Law, in relation to free or reduced transportation by common carriers," was read the second time.

On motion of Mr. Caughlan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 764, Int. No. 702) entitled "An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and forty-six, entitled 'An act to authorize the New York and New Haven Railroad Company to extend their railroad from the Connecticut line to the New York and Harlem railroad,' in regard to rates of fare and otherwise," was read the second time.

On motion of Mr. Coffey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 945, Int. No. 854) entitled "An act to amend the Military Law, in relation to service of the National Guard and Naval Militia," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 985, Int. No. 885) entitled "An act to amend the Military Law, in relation to enlisted men of the National Guard and Naval Militia," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1025, Int. No. 921) entitled "An act to amend the Military Law, in relation to the Naval Militia," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 169, Int. No. 168) entitled "An act to amend the Public Service Commissions Law, in relation to transportation of passengers at reduced rates, in certain cases," was read the second time.

On motion of Mr. Kopp, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 671, Rec. No. 72) entitled "An act to amend the Penal Law, in relation to false weights and measures," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 865, Int. No. 784) entitled "An act to amend the Code of Civil Procedure, in relation to verification of answers in actions for divorce," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1022, Int. No. 295) entitled "An act to amend the Insanity Law, relative to the retirement of employees of State hospitals for the insane," having been announced for a third reading,

On motion of Mr. Manley, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 976, Int. No. 685) entitled "An act to amend the Greater New York charter, in relation to pensioners holding offices," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 543, Rec. No. 73) entitled "An act to amend chapter five hundred and fifty-four of the Laws of eighteen hundred and ninety-nine, entitled 'An act to establish a police pension fund for the city of Albany,' relative to regulating pensions and increasing same," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 321, Rec. No. 51) entitled "An act to amend the County Law, in relation to the compensation of supervisors and assessors in attending meetings of the State Board of Tax Commissioners," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

Mr. Saunders offered for the consideration of the House a resolution, in the words following:

Resolved, That five hundred additional copies of the report of the New York State Training School for Girls at Hudson be printed for distribution by the institution.

which was referred to the committee on public printing.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *March* 17, 1911.

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 19, Rec. No. 30), entitled "An act to amend the Village Law, in relation to compensation of president and trustees of villages of the first class," for the purpose of amendment.

By order of the Senate.

PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. A. E. Smith, the House took a recess until 12 o'clock noon.

TWELVE O'CLOCK NOON.

The House again convened.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The presiding officer of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Ferris	Fiero	Gittins	3

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR M. J. O'BRIEN.

Loomis

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Hewitt with Mr. Murtaugh; Mr. Platt with Mr. C. D. Sullivan; Mr. Allen with Mr. Cronin; Mr. Emerson with Mr. Frawley; Mr. Rose with Mr. Stilwell; Mr. Hamilton with Mr. Ramsperger; Mr. Travis with Mr. T. D. Sullivan; Mr. Walters with Mr. Griffin; Mr. Argetsinger with Mr. Harden; Mr. Bussey with Mr. Harte; Mr. Coats with Mr. Pollock; Mr. Cobb with Mr. Black; Mr. Griffith with Mr. Cullen; Mr. Heacock with Mr. McManus; Mr. Hinman with Mr. Sanner; Mr. Sage with Mr. McClelland; Mr. Thomas with Mr. Wagner; Mr. Ormrod with Mr. White; Mr. Wainwright with Mr. O'Brien.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Brennan	Collin	Frisbie	Smith A E	4

FOR CHAUNCEY M. DEPEW.

Lansing	White	2

FOR MARTIN W. LITTLETON.

Drummond	1

FOR JOHN D. KERNAN.

Bridenbecker	Cosad	Evans	Terry	Wheeler	5

FOR MARTIN H. GLYNN.

Saunders	1

When the roll was called the following pairs were announced:

Mr. Schifferdecker with Mr. Hart; Mr. Carew with Mr. Winters; Mr. McKeon with Mr. Yeomans; Mr. Farrell with Mr. Connell; Mr. Gillen with Mr. Cross; Mr. M. A. O'Neil with Mr. Hoff; Mr. Gerken with Mr. Colne; Mr. Fay with Mr. Stivers; Mr. J. J. O'Neill with Mr. Coffey; Mr. Donnelly with Mr. Ebbets; Mr. Jameson with Mr. Ahern; Mr. Heyman with Mr. Lent; Mr. Geatons with Mr. Pierce; Mr. Cheney with Mr. Turley; Mr. Shlivek with Mr. Goldberg; Mr. Jones with Mr. Gregg; Mr. J.

S. Parker with Mr. W. R. Herrick; Mr. Brooks with Mr. A. Parker; Mr. Seeley with Mr. Shannon; Mr. F. A. Waters with Mr. Hackett; Mr. J. Levy with Mr. C. W. Phillips; Mr. Shepardson with Mr. Patrie; Mr. Yale with Mr. Gurnett; Mr. R. B. Waters with Mr. Gould; Mr. Kopp with Mr. Weil; Mr. Hinman with Mr. McElligott; Mr. Butler with Mr. Zorn; Mr. Brereton with Mr. Dawson; Mr. McDonald with Mr. Gerhardt; Mr. Walker with Mr. Brown; Mr. Sweet with Mr. Graubard; Mr. Lincoln with Mr. Hearn; Mr. Jackson with Mr. DeLano; Mr. Adler with Mr. Blauvelt; Mr. Bryant with Mr. Bush; Mr. Haines with Mr. McGrath; Mr. Young with Mr. Warren; Mr. J. S. Phillips with Mr. Wende; Mr. Sullivan with Mr. Neupert; Mr. Nolan with Mr. J. J. Herrick; Mr. Goodman with Mr. Mork; Mr. Ward with Mr. Egan; Mr. Waring with Mr. Washburn; Mr. Murray with Mr. Foley; Mr. Hoey with Mr. Goodwin; Mr. Goldstein with Mr. Keys; Mr. Baumes with Mr. Spielberg; Mr. Talmage with Mr. Sheide; Mr. Higgins with Mr. Boylan.

Whole number of votes cast..... 19

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	3	4	7
For Chauncey M. Depew	0	2	2
For Martin W. Littleton	2	1	3
For Martin H. Glynn	0	1	1
For John D. Kernan	0	5	5
For M. J. O'Brien	1	0	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Gittins, the joint assembly took a recess until Saturday, March 18th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet

Saturday, March 18th, at 12 o'clock noon in the Assembly Chamber.

On motion of Mr. A. E. Smith, the House adjourned until Saturday, March 18th, at 11 o'clock A. M.

SATURDAY, MARCH 18, 1911.

The House met pursuant to adjournment.

Mr. Oliver in the chair.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. Collin, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend article six of the Insurance Law, in relation to certificates of authority to be issued by the Superintendent of Insurance" (No. 443, Rec. No. 79), which was read the first time and referred to the committee on insurance.

"An act to amend the Insurance Law, in relation to the assets and liabilities of casualty insurance corporations doing an employers' liability insurance business" (No. 302, Rec. No. 80), which was read the first time and referred to the committee on insurance.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Merritt (No. 1056, Int. No. 952), entitled "An act making an appropriation for the New York State School of Agriculture of the Saint Lawrence University for the general purposes thereof."

Also, the bill introduced by Mr. Pappert (No. 526, Int. No. 511), entitled "An act to legalize and confirm the official acts of notaries public and commissioners of deeds."

Also, the bill introduced by Mr. Miller (No. 900, Int. No. 810), entitled "An act to amend the Code of Civil Procedure, in relation to judgment upon appeal from a justice's court."

Also, the bill introduced by Mr. Kopp (No. 169, Int. No. 168), entitled "An act to amend the Public Service Commissions Law,

in relation to transportation of passengers at reduced rates, in certain cases."

Also, the bill introduced by Mr. Caughlan (No. 157, Int. No. 156), entitled "An act to amend the Railroad Law, in relation to the construction of street surface railroads upon grounds occupied by public buildings or in public parks."

Also, the bill introduced by Mr. Caughlan (No. 1054, Int. No. 950), entitled "An act to amend the Public Service Commissions Law, in relation to free or reduced transportation by common carriers."

Also, the bill introduced by Mr. McCue (No. 781, Int. No. 714), entitled "An act to amend the Agricultural Law, in relation to manufacture and sale of spirits of turpentine, turpentine and linseed and flaxseed oil."

Also, the bill introduced by Mr. Zorn (No. 489, Int. No. 477), entitled "An act to amend the Tax Law, in relation to the salary of the transfer tax clerk in the county of Queens."

Also, the bill introduced by Mr. Hearn (No. 676, Int. No. 588), entitled "An act to amend the Code of Civil Procedure, in relation to exemptions and executions."

Also, the bill introduced by Mr. Wilson (No. 339, Int. No. 338), entitled "An act to provide for the purchase of additional lands for the armory of the Thirty-fourth Separate Company of the National Guard at the city of Geneva and making an appropriation therefor."

Also, the bill introduced by Mr. C. W. Phillips (No. 584, Int. No. 562), entitled "An act making an appropriation for the National Encampment of the Grand Army of the Republic to be held in the city of Rochester, in the month of August, nineteen hundred and eleven."

Also, the bill introduced by Mr. A. E. Smith (No. 1052, Int. No. 948), entitled "An act making an appropriation for the deportation of alien and nonresident lunatics to other countries and States, and for the office expenses of the State Commission in Lunacy."

Also, the bill introduced by Mr. Schifferdecker (No. 414, Int. No. 405), entitled "An act to release to Emil Riese all the right, title and interest of the people of the State of New York in and

to certain real estate in the borough of Brooklyn, city of New New York, county of Kings and State of New York."

Also, the bill introduced by Mr. Hoey (No. 423, Int. No. 418), entitled "An act to amend the Insurance Law, in relation to the character of the automobile indemnity which may be assumed by fire and marine insurance corporations."

Also, the bill introduced by Mr. Wilson (No. 695, Int. No. 659), entitled "An act to grant to the city of Geneva all the interest of the people of the State of New York in certain lands formerly under the waters of Seneca lake, but which have been partially filled in."

Also, the bill introduced by Mr. T. K. Smith (No. 749, Int. No. 687), entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season."

Also, the bill introduced by Mr. Sheide (No. 2, Int. No. 2), entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for certain wild fowl on Long Island."

Also, the bill introduced by Mr. A. E. Smith (No. 874, Int. No. 793), entitled "An act reappropriating an unexpended balance for the improvement of the canals."

Also, the bill introduced by Mr. Zorn (No. 625, Int. No. 597), entitled "An act to legalize, ratify and confirm the incorporation of the Winfield Athletic Club and its corporate acts and those of its trustees, including amendments to its certificate of incorporation."

Also, the bill introduced by Mr. Cuvillier (No. 945, Int. No. 854), entitled "An act to amend the Military Law, in relation to services of the National Guard and Naval Militia."

Also, the bill introduced by Mr. Bush (No. 599, Int. No. 577), entitled "An act to amend the Education Law, in relation to the establishment of a State school of sanitary science and public health at Cornell University, and making an appropriation therefor."

Also, the bill introduced by Mr. A. E. Smith (No. 959, Int. No. 868), entitled "An act making an appropriation for the completion of the statutory record of the special statutes of the State authorized by chapter five hundred and thirteen of the Laws of nineteen hundred and ten."

Also, the bill introduced by Mr. Butler (No. 637, Int. No. 605), entitled "An act to amend the Agricultural Law, in relation to information to be furnished to persons dealing in products whose manufacture or sale, or keeping of which is regulated or forbidden by the Agricultural Law."

Also, the bill introduced by Mr. Cuvillier (No. 985, Int. No. 885), entitled "An act to amend the Military Law, in relation to enlisted men of the National Guard and Naval Militia," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Hoey (No. 745, Int. No. 683), entitled "An act to amend the Public Officers Law, in relation to holidays and the hours of employees of the State and the various subdivisions thereof, and the compensation therefor," reported the same with the following recommendations:

Amend the title by inserting between the words " various " and " subdivisions " the word " civil ".
On page 1, line 6, strike out " s " in " Sundays ".
In line 7, insert comma after the word " State ".
On line 8, after the words " half days " insert comma.
On line 9, after the word " Sundays " insert comma.
Page 2, line 4, after the word " State " insert comma.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Cuvillier (No. 1025, Int. No. 921), entitled "An act to amend the Military Law, in relation to the Naval Militia," reported the same with the following recommendation:

On page 2, line 8, after the word " one " insert " a ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Bush (No. 299, Int. No. 298), entitled "An act to amend the Poor Law, in relation to the burial of soldiers, sailors or marines and to marking their graves with

headstones," reported the same with the following recommendation:

On page 1, line 8, after the word "supervisors" insert "in" in place of "of".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Coffey (No. 764, Int. No. 702), entitled "An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and forty-six, entitled 'An act to authorize the New York and New Haven Railroad Company to extend their railroad from the Connecticut line to the New York and Harlem railroad,' in regard to rates of fare and otherwise," reported the same with the following recommendation:

On page 2, line 8, italicize "subject to the".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to enable the board of supervisors of the county of Albany to grant an easement in or convey or lease a plot of ground, sufficient and adequate in size from the portion of real estate of which Albany county is now seized and possessed, known as the 'Albany Penitentiary Property' for the purpose and to be used for the erection of a building or buildings of the Albany Medical College." (No. 943, Int. No. 852.)

"An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to ward boundaries." (No. 537, Int. No. 520.)

"An act to enable the board of supervisors of the county of Albany to sell and convey to the city of Albany all of the right and title and interest of which the county of Albany is now seized and possessed in and to the real estate known as the city hall, in the city of Albany, for the purpose of acquiring funds to be used

in the erection of a courthouse in and for the county of Albany." (No. 944, Int. No. 853.)

"An act to amend the Greater New York charter, in relation to the designation by the comptroller of the assistant deputy comptroller or a clerk to sign warrants drawn upon the city chamberlain." (No. 1046, Int. No. 942.)

"An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to purchase lots, and to erect, construct, complete, enlarge and equip buildings for the use of the police and fire departments of said city." (No. 706, Int. No. 670.)

"An act to amend the Greater New York charter, in relation to licensing operators of moving picture apparatus and its connections." (No. 167, Int. No. 166.)

"An act relating to the salaries of the members of the board of school examiners of the city of Buffalo." (No. 811, Int. No. 741.)

"An act to amend chapter eighty-two of the Laws of nineteen hundred and three, entitled 'An act to make the office of sheriff of Dutchess county a salaried office, and to regulate the management of said office,' in relation to the compensation of the janitor and bookkeeper in the office of said sheriff." (No. 972, Int. No. 881.)

"An act to amend chapter six hundred and eighty-four of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' relative to the laying of dust in the streets of said city." (No. 989, Int. No. 889.)

"An act to amend the Highway Law, in relation to State and county highways in cities of the third class." (No. 153, Int. No. 152.)

"An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and nine, entitled 'An act to make the office of sheriff of the county of Oswego a salaried office and to regulate the management thereof,' generally." (No. 277, Int. No. 275.)

"An act to amend chapter four hundred and seventy-nine of the Laws of eighteen hundred and ninety-five, entitled 'An act to es-

tablish a police and fire department in the village of Canastota, Madison county,' in relation to the compensation of the chief of police, policemen and special patrolmen." (No. 394, Int. No. 385.)

"An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relating to the designation of an official newspaper." (No. 473, Int. No. 461.)

"An act to amend chapter one hundred and eighteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of county clerk of Oswego county a salaried office, and regulating the management of said office, and fixing the salary of said clerk and his assistants,' in relation to the salaries of the special deputy and court clerk and index clerk in said county." (No. 183, Int. No. 182.)

"An act to amend the Highway Law, in relation to the course and description of State route number four." (No. 903, Int. No. 813.)

"An act to amend the Greater New York charter, so as to provide for a relief and pension fund for the benefit of the members of the clerical and uniformed forces of the department of street cleaning." (No. 814, Int. No. 744.)

"An act to amend chapter two hundred and fifty-eight of the Laws of nineteen hundred and seven, entitled 'An act to provide for a police pension fund for the police force of the city of Watertown,' in relation to the composition of such fund." (No. 967, Int. No. 876.)

"An act to amend the Greater New York charter, in relation to notes to be issued in anticipation of the sale of corporate stock." (No. 1074, Int. No. 943.)

"An act to amend the Labor Law, in relation to violations thereof by officers, agents and employees of any commission appointed pursuant to law." (No. 844, Int. No. 763.)

"An act to legalize, ratify and confirm the acts and proceedings of the comptroller and other officers and boards of the city of Buffalo, creating, investing and reinvesting certain railroad grade crossing bond sinking funds, and to provide for the payment of grade crossing bonds." (No. 702, Int. No. 666.)

The hour of twelve o'clock having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The presiding officer of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Fiero 1

FOR M. J. O'BRIEN.

Loomis 1

When the roll was called the following pairs were announced:

Mr. Brackett with Mr. Grady; Mr. Hewitt with Mr. Murtaugh; Mr. Platt with Mr. C. D. Sullivan; Mr. Allen with Mr. Cronin; Mr. Emerson with Mr. Frawley; Mr. Rose with Mr. Stilwell; Mr. Hamilton with Mr. Ramsperger; Mr. Travis with Mr. T. D. Sullivan; Mr. Walters with Mr. Griffin; Mr. Argetsinger with Mr. Harden; Mr. Bussey with Mr. Harte; Mr. Coats with Mr. Pollock; Mr. Cobb with Mr. Black; Mr. Griffith with Mr. Cullen; Mr. Heacock with Mr. McManus; Mr. Hinman with Mr. Sanner; Mr. Sage with Mr. McClelland; Mr. Thomas with Mr. Wagner; Mr. Ormrod with Mr. White; Mr. Wainwright with Mr. O'Brien.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Collin 1

FOR CHAUNCEY M. DEPEW.

Lansing Wilson 2

FOR MARTIN W. LITTLETON.

Drummond 1

FOR JOHN D. KERNAN.

Terry 1

When the roll was called the following pairs were announced:

Mr. Schifferdecker with Mr. Hart; Mr. Carew with Mr. Winters; Mr. McKeon with Mr. Yoemans; Mr. Farrell with Mr. Connell; Mr. Gillen with Mr. Cross; Mr. M. A. O'Neil with Mr. Hoff; Mr. Gerken with Mr. Colne; Mr. Fay with Mr. Stivers; Mr. J. J. O'Neill with Mr. Coffey; Mr. Donnelly with Mr. Ebbets; Mr. Jameson with Mr. Ahern; Mr. Heyman with Mr. Lent; Mr. Geatons with Mr. Pierce; Mr. Cheney with Mr. Turley; Mr. Shlivek with Mr. Goldberg; Mr. Jones with Mr. Gregg; Mr. J. S. Parker with Mr. W. R. Herrick; Mr. Brooks with Mr. A. Parker; Mr. Seeley with Mr. Shannon; Mr. F. A. Waters with Mr. Hackett; Mr. J. Levy with Mr. C. W. Phillips; Mr. Shepardson with Mr. Patrie; Mr. Yale with Mr. Gurnett; Mr. R. B. Waters with Mr. Gould; Mr. Kopp with Mr. Weil; Mr. Hinman with Mr. McElligott; Mr. Butler with Mr. Zorn; Mr. Brereton with Mr. Dawson; Mr. Macdonald with Mr. Gerhardt; Mr. Walker with Mr. Brown; Mr. Sweet with Mr. Graubard; Mr. Lincoln with Mr. Hearn; Mr. Jackson with Mr. DeLano; Mr. Adler with Mr. Blauvelt; Mr. Bryant with Mr. Bush; Mr. Haines with Mr. McGrath; Mr. Young with Mr. Warren; Mr. J. S. Phillips with Mr. Wende; Mr. Sullivan with Mr. Neupert; Mr. Nolan with Mr. J. J. Herrick; Mr. Goodman with Mr. Mork; Mr. Ward with Mr. Egan; Mr. Waring with Mr. Washburn; Mr. Murray with Mr. Foley; Mr. Hoey with Mr. Goodwin; Mr. Goldstein with Mr. Keys; Mr. Baumes with Mr. Spielberg; Mr. Talmage with Mr. Sheide; Mr. Higgins with Mr. Boylan.

Whole number of votes cast..... 7

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	1	1	2
For Chauncey M. Depew.....	0	2	2
For Martin W. Littleton.....	0	1	1
For John D. Kernan.....	0	1	1
For M. J. O'Brien.....	1	0	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator

in Congress to succeed Chauncey M. Depew whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Loomis, the joint assembly took a recess until Monday, March 20th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Monday, March 20th, at 12 o'clock noon in the Assembly Chamber.

A communication was received from Hon. Frederick Gillmore, mayor of the city of Utica, returning Assembly bill (No. 335, Int. No. 334), entitled "An act to amend chapter seven hundred and thirty-eight of the Laws of eighteen hundred and ninety-seven, entitled 'An act creating a board of assessors in and for the city of Utica and defining its powers,' relative to preparing and review of assessment-rolls," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Collin, the House adjourned until Monday, March 20th, at 11:30 o'clock A. M.

MONDAY, MARCH 20, 1911.

The House met pursuant to adjournment.

Mr. Manley in the chair.

Prayer by Rev. Paul Birdsall.

On motion of Mr. Brace, the reading of the journal of Saturday, March 18th, was dispensed with and the same was approved.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Fiero	Wagner	2

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR M. J. O'BRIEN.

Loomis	1

FOR WILLIAM SULZER.

White	1

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Collin	1

FOR CHAUNCEY M. DEPEW.

Lansing	Wilson	2

FOR MARTIN W. LITTLETON.

Brace	Drummond	2

FOR M. J. O'BRIEN.

Shortt	1

FOR JOHN D. KERNAN.

Cosad	Terry	Wheeler	3

FOR JOHN N. CARLISLE.

Day	1

FOR T. F. CARMODY.

Friedman	1

FOR D. A. BOODY.

Fry	1

When the roll was called the following pairs were announced: Mr. Schifferdecker with Mr. Hart; Mr. Carew with Mr. Winters; Mr. McKeon with Mr. Yeomans; Mr. Farrell with Mr. Connell; Mr. Gillen with Mr. Cross; Mr. M. A. O'Neil with Mr.

Hoff; Mr. Gerken with Mr. Colue; Mr. Fay with Mr. Stivers; Mr. J. J. O'Neill with Mr. Coffey; Mr. Donnelly with Mr. Ebbets; Mr. Jameson with Mr. Ahern; Mr. Heyman with Mr. Lent; Mr. Geatons with Mr. Pierce; Mr. Cheney with Mr. Turley; Mr. Shlivek with Mr. Goldberg; Mr. Jones with Mr. Gregg; Mr. J. S. Parker with Mr. W. R. Herrick; Mr. Brooks with Mr. A. Parker; Mr. Seeley with Mr. Shannon; Mr. F. A. Waters with Mr. Hackett; Mr. J. Levy with Mr. C. W. Phillips; Mr. Shepardson with Mr. Patrie; Mr. Yale with Mr. Gurnett; Mr. R. B. Waters with Mr. Gold; Mr. Kopp with Mr. Weil; Mr. Hinman with Mr. McElligott; Mr. Butler with Mr. Zorn; Mr. Brereton with Mr. Dawson; Mr. McDonald with Mr. Gerhardt; Mr. Walker with Mr. Brown; Mr. Sweet with Mr. Graubard; Mr. Lincoln with Mr. Hearn; Mr. Jackson with Mr. DeLano; Mr. Alder with Mr. Blauvelt; Mr. Bryant with Mr. Bush; Mr. Hines with Mr. McGrath; Mr. Young with Mr. Warren; Mr. J. S. Phillips with Mr. Wende; Mr. Sullivan with Mr. Neupert; Mr. Nolan with Mr. J. J. Herrick; Mr. Goodman with Mr. Mork; Mr. Ward with Mr. Egan; Mr. Waring with Mr. Washburn; Mr. Murray with Mr. Foley; Mr. Hoey with Mr. Goodwin; Mr. Goldstein with Mr. Keys; Mr. Baumes with Mr. Spielberg; Mr. Talmage with Mr. Sheide; Mr. Higgins with Mr. Boylan.

Whole number of votes cast..... 18

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	2	1	3
For Chauncey M. Depew.....	0	2	2
For Martin W. Littleton.....	2	2	4
For John W. Kernan.....	0	3	3
For M. J. O'Brien.....	1	1	2
For William Sulzer.....	1	0	1
For John N. Carlisle.....	0	1	1
For Thomas F. Carmody.....	0	1	1
For D. A. Boody.....	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator

in Congress to succeed Chauncey M. Depew whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Fiero, the joint assembly took a recess until Tuesday, March 21st, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Tuesday, March 21st, at 12 o'clock noon in the Assembly Chamber.

Mr. M. A. O'Neil introduced a bill entitled "An act to amend the Penal Law, relative to burglary with explosives" (Int. No. 1085), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Penal Law, in relation to derogatory statements affecting financial institutions" (Int. No. 1086), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Penal Law, relative to the giving of checks or drafts on any bank or other depositary wherein the person so giving such check or draft shall not have sufficient funds or a credit for the payment of the same" (Int. No. 1087), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Executive Law, in relation to the powers and duties of notaries public" (Int. No. 1088), which was read the first time and referred to the committee on the judiciary.

Mr. F. A. Waters introduced a bill entitled "An act to amend chapter one hundred and forty-two of the Laws of eighteen hundred and seventy-nine, entitled 'An act to amend chapter one hundred and twenty-five of the Laws of eighteen hundred and forty-two, entitled "An act to condense and amend the several acts relating to the village of Albion," and the several acts amendatory thereof,' in relation to the time of elections" (Int. No. 1089), which was read the first time and referred to the committee on affairs of villages.

Mr. Young introduced a bill entitled "An act to amend chapter two hundred and sixty-three of the Laws of nineteen hundred and five, entitled 'An act authorizing the town board of the town of

Cortlandt to appropriate certain moneys to the Helping Hand Hospital Association of Peekskill, New York,' in relation to the amount which may be appropriated annually" (Int. No. 1090), which was read the first time and referred to the committee on internal affairs.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to the militia of the State" (Int. No. 1091), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the General City Law, in relation to expenditures of money appropriated for Memorial Day in cities of the third class" (Int. No. 1092), which was read the first time and referred to the committee on affairs of cities.

Mr. Fry introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to jurisdiction, practice and procedure" (Int. No. 1093), which was read the first time and referred to the committee on codes.

Mr. Coffey introduced a bill entitled "An act relating to the repaving of West Lincoln avenue and West First street, as widened, from Eleventh avenue to the New York city line, in the city of Mount Vernon" (Int. No. 1094), which was read the first time and referred to the committee on affairs of cities.

Mr. Fitzpatrick introduced a bill entitled "An act to amend the Greater New York charter, in relation to collection of assessments for local improvements" (Int. No. 1095), which was read the first time and referred to the committee on affairs of cities.

Mr. Cuvillier introduced a bill entitled "An act to appoint a commission for the purpose of investigating the Banking Department of the State of New York" (Int. No. 1096), which was read the first time and referred to the committee on ways and means.

Mr. Warren introduced a bill entitled "An act to amend the Penal Law, generally" (Int. No. 1097), which was read the first time and referred to the committee on codes.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Greater New York charter, relative to the fixing, determining upon and establishing line of high water and

relative to the sale and exchange of lands and lands under water in connection therewith." (No. 1155, Int. No. 897.)

"An act to amend the Second Class Cities Law, relating to temporary and funded debts." (No. 1159, Int. No. 387.)

"An act to legalize, ratify and confirm certain bonds of the town of Philadelphia, Jefferson county, to be used for bridge purposes and to legalize, ratify and confirm all proceedings in relation to the issuance and sale thereof; to regulate the delivery of such bonds and provide for their payment." (No. 1156, Int. No. 875.)

"An act to amend the Greater New York charter, in relation to local improvements, giving the local boards power to cause the curbing and recurbing of sidewalks, the construction of gutters, receiving basins and inlets within their respective districts in the city of New York, when the expenses to be incurred do not exceed the sum of two thousand dollars." (No. 1161, Int. No. 677.)

"An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the expenses of attendance upon conventions and conferences." (No. 1160, Int. No. 896.)

"An act to amend the General Business Law, in relation to licensing pawnbrokers in certain cities." (No. 1158, Int. No. 892.)

"An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the police pension fund of said city." (No. 1157, Int. No. 610.)

"An act to amend the Education Law, in relation to the establishment of a State school of sanitary science and public health at Cornell University, and making an appropriation therefor." (No. 599, Int. No. 577.)

"An act to amend the Military Law, in relation to enlisted men of the National Guard and Naval Militia." (No. 985, Int. No. 885.)

"An act to release to Emil Riese all the right, title and interest of the people of the State of New York in and to certain real estate in the borough of Brooklyn, city of New York, county of Kings and State of New York." (No. 414, Int. No. 405.)

"An act to amend the Tax Law, in relation to the salary of the transfer tax clerk in the county of Queens." (No. 489, Int. No. 477.)

"An act making an appropriation for the New York State School of Agriculture of the Saint Lawrence University for the general purposes thereof." (No. 1056, Int. No. 952.)

"An act to legalize and confirm the official acts of notaries public and commissioners of deeds." (No. 526, Int. No. 511.)

"An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' relating to general financial provisions, local improvements, condemnation proceedings and area of assessment." (No. 1010, Int. No. 911.)

"An act to amend the Highway Law, in relation to the removal of weeds, brush and obstructions from the highways." (No. 948, Int. No. 857.)

"An act to amend the Military Law, in relation to service of the National Guard and Naval Militia." (No. 945, Int. No. 854.)

"An act making an appropriation for the National Encampment of the Grand Army of the Republic to be held in the city of Rochester in the month of August, nineteen hundred and eleven." (No. 584, Int. No. 562.)

"An act to amend the Forest, Fish and Game Law, in relation to the open season for certain wild fowl on Long Island." (No. 2, Int. No. 2.)

"An act reappropriating an unexpended balance for the improvement of the canals." (No. 874, Int. No. 793.)

"An act to grant to the city of Geneva all the interest of the people of the State of New York in certain lands formerly under the waters of Seneca lake, but which have been partially filled in." (No. 695, Int. No. 659.)

"An act making an appropriation for the completion of the statutory record of the special statutes of the State authorized by chapter five hundred and thirteen of the Laws of nineteen hundred and ten." (No. 959, Int. No. 868.)

"An act to amend the Agricultural Law, in relation to information to be furnished to persons dealing in products whose manu-

facture or sale, or keeping of which is regulated or forbidden by the Agricultural Law." (No. 637, Int. No. 605.)

"An act to amend the Forest, Fish and Game Law, in relation to the open season." (No. 749, Int. No. 687.)

"An act to amend chapter four hundred and seventy-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the city of Olean,' generally." (No. 759, Int. No. 697.)

"An act to amend the Agricultural Law, in relation to manufacture and sale of spirits of turpentine, turpentine and linseed and flaxseed oil." (No. 781, Int. No. 714.)

"An act to amend the Insurance Law, in relation to the character of the automobile indemnity which may be assumed by fire and marine insurance corporations." (No. 423, Int. No. 418.)

"An act making an appropriation for the deportation of alien and nonresident lunatics to other countries and States, and for the office expenses of the State Commission in Lunacy." (No. 1052, Int. No. 948.)

"An act to provide for the purchase of additional lands for the armory of the Thirty-fourth Separate Company of the National Guard at the city of Geneva and making an appropriation therefor." (No. 339, Int. No. 338.)

"An act to amend chapter one hundred and seventy-three of the Laws of eighteen hundred and ninety-five, entitled 'An act fixing the fiscal year, providing for a county auditor, and regulating the purchase of supplies for the county institutions and officers of the county of Erie,' generally." (No. 1162, Int. No. 787.)

"An act to legalize, ratify and confirm the incorporation of the Winfield Athletic Club and its corporate acts and those of its trustees, including amendments to its certificate of incorporation." (No. 625, Int. No. 597.)

The bill (No. 462, Int. No. 453) entitled "An act to amend chapter two hundred and sixty-nine of the Laws of eighteen hundred and seventy-two, entitled 'An act authorizing the construction of a bridge across the Hudson river at the city of Albany, and incorporating the Albany and Greenbush Bridge Company,' in relation to rates of toll to be charged by said company or its successors, including the Albany Southern Railroad Company, and the sale of tickets," was read the second time.

On motion of Mr. Lansing, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1110, Int. No. 944) entitled "An act to amend the Greater New York charter, in relation to the issue of corporate stock," was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1111, Int. No. 164) entitled "An act to amend article four of the Labor Law, entitled 'An act relating to labor, constituting chapter thirty-one of the Consolidated Laws,' in relation to medical reports to the Bureau of Labor Statistics," was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1154, Int. No. 248) entitled "An act to revise the charter of the city of Watervliet," was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 671, Rec. No. 72) entitled "An act to amend the Penal Law, in relation to false weights and measures," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McKeon	Shortt
Ahern	DeLano	Hammond	Merritt	Smith A E
Allen	Donovan	Hearn	Miller	Smith T K
Beach	Drummond	Herrick W R	Monczynski	Spielberg
Blauvelt	Ebbetts	Higgins	Mork	Sullivan
Boylan	Egan	Hinman	Murray	Talmage
Brace	Farrell	Hoey	Myers	Terry
Brereton	Filley	Hoff	Neupert	Trombly
Brooks	Fitzpatrick	Hollmann	Nolan	Walker
Brown	Foley	Hoyt	O'Connor	Waring
Bryant	Friedman	Huber	Oliver	Warren
Butler	Fry	Jackson	O'Neill J J	Washburn

Carew	Geatons	Jameson	O'Neil M A	Waters F A
Caughlan	Gerhardt	Jones	Pappert	Waters R B
Chanler	Gerken	Kennedy	Parker A	Weil
Coffey	Goldstein	Lansing	Patrie	Wende
Collin	Goodman	LaReau	Pierce	Wheeler
Colné	Gould	Macdonald	Saunders	White
Connell	Graubard	MacGregor	Schifferdecker	Wilson
Constantine	Gray	Manley	Seeley	Winters
Cosad	Gregg	Martin	Shannon	Yale
Cross	Hackett	McDaniels	Sheide	Yeomans
Cuvillier	Haines	McElligott	Shepardson	Zorn
Dawson				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 865, Int. No. 784) entitled "An act to amend the Code of Civil Procedure, in relation to verification of answers in actions for divorce," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McKeon	Shortt
Ahern	Day	Hammond	Merritt	Smith A E
Allen	DeLano	Hearn	Miller	Smith T K
Beach	Donovan	Herrick W R	Monczynski	Spielberg
Blauvelt	Drummond	Higgins	Mork	Sullivan
Boylan	Ebbetts	Hinman	Murray	Talmage
Brace	Egan	Hoey	Myers	Terry
Brennan	Farrell	Hoff	Neupert	Trombly
Brereton	Filley	Hollmann	Nolan	Walker
Brooks	Fitzpatrick	Hoyt	O'Connor	Waring
Brown	Foley	Huber	Oliver	Warren
Bryant	Friedman	Jackson	O'Neill J J	Washburn
Butler	Fry	Jameson	O'Neil M A	Waters F A
Carew	Geatons	Jones	Pappert	Waters R B
Caughlan	Gerhardt	Kennedy	Parker A	Weil
Chanler	Gerken	Lansing	Patrie	Wende
Coffey	Goldstein	LaReau	Pierce	Wheeler
Collin	Goodman	Macdonald	Saunders	White
Colné	Gould	MacGregor	Schifferdecker	Wilson
Connell	Graubard	Manley	Seeley	Winters
Constantine	Gray	Martin	Shannon	Yale
Cosad	Gregg	McDaniels	Sheide	Yeomans
Cross	Hackett	McElligott	Shepardson	Zorn
Cuvillier	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 976, Int. No. 685) entitled "An act to amend the Greater New York charter, in relation to pensioners holding offices," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	Miller	Smith T K
Ahern	Donovan	Herrick W R	Monczynski	Spielberg
Allen	Drummond	Higgins	Mork	Stivers
Beach	Ebbetts	Hinman	Murray	Sullivan
Blauvelt	Egan	Hoey	Myers	Talmage
Boylan	Farrell	Hoff	Neupert	Terry
Brace	Filley	Hollmann	Nolan	Trombly
Brereton	Fitzpatrick	Hoyt	O'Connor	Walker
Brooks	Foley	Huber	Oliver	Ward
Brown	Friedman	Jackson	O'Neill J J	Waring
Bryant	Fry	Jameson	O'Neil M A	Warren
Butler	Geatons	Jones	Pappert	Washburn
Carew	Gerhardt	Kennedy	Parker A	Waters F A
Caughlan	Gerken	Lansing	Patrie	Waters R B
Chanler	Goldstein	LaReau	Pierce	Weil
Coffey	Goodman	Macdonald	Saunders	Wende
Collin	Gould	MacGregor	Schifferdecker	Wheeler
Colné	Graubard	Manley	Seeley	White
Connell	Gray	Martin	Shannon	Wilson
Constantine	Gregg	McDaniels	Sheide	Winters
Cosad	Hackett	McElligott	Shepardson	Yale
Cuvillier	Haines	McKeon	Shortt	Yeomans
Dawson	Hart	Merritt	Smith A E	Zorn
Day	Hammond			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 543, Rec. No. 73) entitled "An act to amend chapter five hundred and fifty-four of the Laws of eighteen hundred and ninety-nine, entitled 'An act to establish a police pension fund for the city of Albany,' relative to regulating pensions and increasing same," was read the third time, having been

printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 116
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantine	Gregg	Martin	Shannon	Winters
Cosad	Hackett	McDaniels	Sheide	Yale
Cuvillier	Haines	McElligott	Shepardson	Yeomans
Dawson	Hart	McKeon	Shortt	Zorn
Day				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 321, Rec. No. 51) entitled "An act to amend the County Law, in relation to the compensation of supervisors and assessors in attending meetings of the State Board of Tax Commissioners," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 115
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	McKeon	Shortt
Ahern	DeLano	Hammond	Merritt	Smith A E
Allen	Donovan	Hearn	Miller	Smith T K
Beach	Drummond	Herrick W R	Monczynski	Spielberg
Blauvelt	Ebbetts	Higgins	Mork	Sullivan
Boylan	Egan	Hinman	Murray	Talmage
Brace	Farrell	Hoey	Myers	Terry
Brereton	Filley	Hoff	Neupert	Trombly
Brooks	Fitzpatrick	Hollmann	Nolan	Walker
Brown	Foley	Hoyt	O'Connor	Waring
Bryant	Friedman	Huber	Oliver	Warren
Butler	Fry	Jackson	O'Neill J J	Washburn
Carew	Geatons	Jameson	O'Neil M A	Waters F A
Caughlan	Gerhardt	Jones	Pappert	Waters R B
Chanler	Gerken	Kennedy	Parker A	Weil
Coffey	Goldstein	Lansing	Patrie	Wende
Collin	Goodman	LaReau	Pierce	Wheeler
Colné	Gould	Macdonald	Saunders	White
Connell	Graubard	MacGregor	Schifferdecker	Wilson
Constantien	Gray	Manley	Seeley	Winters
Cosad	Gregg	Martin	Shannon	Yale
Cuvillier	Hackett	McDaniels	Sheide	Yeomans
Dawson	Haines	McElligott	Shepardson	Zorn

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 669, Rec. No. 64) entitled "An act to amend the State Boards and Commissions Law, relative to notice, plans, specifications and map," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	Miller	Smith A E
Ahern	Donovan	Herrick W R	Monczynski	Smith T K
Allen	Drummond	Higgins	Mork	Spielberg
Beach	Ebbetts	Hinman	Murray	Stivers
Blauvelt	Evans	Hoey	Myers	Sullivan
Boylan	Farrell	Hoff	Neupert	Talmage

Brace	Filley	Hollmann	Nolan	Terry
Brereton	Fitzpatrick	Hoyt	O'Connor	Trombly
Brooks	Foley	Huber	Oliver	Walker
Brown	Friedman	Jackson	O'Neill J J	Waring
Bryant	Fry	Jameson	O'Neil M A	Warren
Butler	Geatons	Jones	Peppert	Washburn
Carew	Gerhardt	Kennedy	Parker A	Waters F A
Caughlan	Gerken	Lansing	Parker J S	Waters R B
Chanler	Goldstein	LaReau	Patrie	Weil
Coffey	Goodman	Macdonald	Pierce	Wende
Collin	Gould	MacGregor	Saunders	Wheeler
Colné	Graubard	Manley	Schifferdecker	White
Connell	Gray	Martin	Seeley	Wilson
Constantine	Gregg	McDaniels	Shannon	Winters
Cosad	Hackett	McElligott	Sheide	Yale
Cuvillier	Haines	McKeon	Shepardson	Yeomans
Dawson	Hart	Merritt	Shortt	Zorn
Day	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 240, Rec. No. 41) entitled "An act authorizing and directing the Comptroller to revise and resettle accounts for taxes paid under the provisions of section one hundred and eighty-seven-a of the Tax Law for the year ending June thirtieth, nineteen hundred and eight," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 116
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
A'len	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoev	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A

Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantine	Gregg	Martin	Shannon	Winters
Cosad	Hackett	McDaniels	Sheide	Yale
Cuvillier	Haines	McElligott	Shepardson	Yeomans
Dawson	Hart	McKeon	Shortt	Zorn
Day				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 304, Rec. No. 67) entitled "An act to amend the Penal Law, in relation to processions on Sunday in cities," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 116
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Sullivan
Blauvelt	Egan	Hinman	Murray	Sweet
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantine	Gregg	Martin	Shannon	Winters
Cosad	Hackett	McDaniels	Sheide	Yale
Cuvillier	Haines	McElligott	Shepardson	Yeomans
Dawson	Hart	McKeon	Shortt	Zorn
Day				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1093, Int. No. 716) entitled "An act to amend the Greater New York charter, in relation to revocation of auctioneer's licenses," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	Merritt	Smith A E
Ahern	DeLano	Hearn	Miller	Smith T K
Allen	Donovan	Herrick W R	Monczynski	Spielberg
Beach	Drummond	Higgins	Mork	Stivers
Blauvelt	Ebbetts	Hinman	Murray	Sullivan
Boylan	Egan	Hoey	Myers	Talmage
Brace	Farrell	Hoff	Neupert	Terry
Brereton	Filley	Hollmann	Nolan	Trombly
Brooks	Fitzpatrick	Hoyt	O'Connor	Walker
Brown	Foley	Huber	Oliver	Waring
Bryant	Friedman	Jackson	O'Neill J J	Warren
Butler	Fry	Jameson	O'Neil M A	Washburn
Carew	Geatons	Jones	Pappert	Waters F A
Caughlan	Gerhardt	Kennedy	Parker A	Waters R B
Chanler	Gerken	Lansing	Patrie	Weil
Cheney	Goldstein	LaReau	Pierce	Wende
Coffey	Goodman	Macdonald	Saunders	Wheeler
Collin	Gould	MacGregor	Schifferdecker	White
Colné	Graubard	Manley	Seeley	Wilson
Connell	Gray	Martin	Shannon	Winters
Constantine	Gregg	McDaniels	Sheide	Yale
Cosad	Hackett	McElligott	Shepardson	Yeomans
Cuvillier	Haines	McKeon	Shortt	Zorn
Dawson	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1092, Int. No. 353) entitled "An act to amend the Greater New York charter, in relation to allowances for blind persons and appropriations therefor, and making temporary provision for raising funds for the present increase of such allowances," having been announced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1106, Int. No. 734) entitled "An act to amend section two hundred and eighty of the Penal Law, in relation to corporation not to practice law," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Moncsynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantien	Gregg	Martin	Shannon	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cuvillier	Hackett	McElligott	Shepardson	Yeomans
Dawson	Haines	McKeon	Shortt	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1108, Int. No. 596) entitled "An act to amend section two hundred and seventy-one of the Code of Criminal Procedure to furnish the defendant in a criminal action with a transcript of the grand jury minutes in certain cases," was read the third time, having been printed and upon the desks of the mem-

bers in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hearn	Hammond	Smith A E
Ahern	Donovan	Herrick W R	Miller	Smith T K
Allen	Drummond	Higgins	Monczynski	Spielberg
Beach	Ebbetts	Hinman	Mork	Stivers
Blauvelt	Egan	Hoey	Murray	Sullivan
Boylan	Farrell	Hoff	Myers	Talmage
Brace	Filley	Hollmann	Neupert	Terry
Brereton	Fitzpatrick	Hoyt	Nolan	Trombly
Brooks	Foley	Huber	O'Connor	Walker
Brown	Friedman	Jackson	Oliver	Waring
Bryant	Fry	Jameson	O'Neill J J	Warren
Butler	Geatons	Jones	O'Neil M A	Washburn
Carew	Gerhardt	Kennedy	Pappert	Waters F A
Caughlan	Gerken	Lansing	Parker A	Waters R B
Chanler	Goldstein	LaReau	Patrie	Weil
Coffey	Goodman	Macdonald	Pierce	Wende
Collin	Gould	MacGregor	Saunders	Wheeler
Colné	Graubard	Manley	Schifferdecker	White
Connell	Gray	Martin	Seeley	Wilson
Constantine	Gregg	McDaniels	Shannon	Winters
Cosad	Gurnett	McElligott	Sheide	Yale
Cuvillier	Hackett	McKeon	Shepardson	Yeomans
Dawson	Haines	Merritt	Shortt	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1107, Int. No. 290) entitled "An act to amend the Public Health Law, in relation to statements in prescriptions by physicians," having been announced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 537, Int. No. 520) entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to ward boundaries," having been announced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 972, Int. No. 881) entitled "An act to amend chapter eighty-two of the Laws of nineteen hundred and three, entitled 'An act to make the office of sheriff of Dutchess county a salaried office, and to regulate the management of said office,' in relation to the compensation of the janitor and bookkeeper in the office of said sheriff," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 116
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantine	Gregg	Martin	Shannon	Winters
Cosad	Hackett	McDaniels	Sheide	Yale
Cuvillier	Haines	McElligott	Shepardson	Yeomans
Dawson	Hart	McKeon	Shortt	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 394, Int. No. 385) entitled "An act to amend chapter four hundred and seventy-nine of the Laws of eighteen

hundred and ninety-five, entitled 'An act to establish a police and fire department in the village of Canastota, Madison county,' in relation to the compensation of the chief of police, policemen and special patrolmen," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 116
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantien	Gregg	Martin	Shannon	Winters
Cosad	Hackett	McDaniels	Sheide	Yale
Cuvillier	Haines	McElligott	Shepardson	Yeomans
Dawson	Hart	McKeon	Shortt	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1046, Int. No. 942) entitled "An act to amend the Greater New York charter, in relation to the designation by the comptroller of the assistant deputy comptroller or a clerk to sign warrants drawn upon the city chamberlain," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Fay	Hoff	Neupert	Terry
Brereton	Filley	Hollmann	Nolan	Trombly
Brooks	Fitzpatrick	Hoyt	O'Connor	Walker
Brown	Foley	Huber	Oliver	Waring
Bryant	Friedman	Jackson	O'Neill J J	Warren
Butler	Fry	Jameson	O'Neil M A	Washburn
Carew	Geatons	Jones	Pappert	Waters F A
Caughlan	Gerhardt	Kennedy	Parker A	Waters R B
Chanler	Gerken	Lansing	Patrie	Weil
Coffey	Goldstein	LaReau	Pierce	Wende
Collin	Goodman	Macdonald	Saunders	Wheeler
Colné	Gould	MacGregor	Schifferdecker	White
Cornell	Graubard	Manley	Seeley	Wilson
Constantine	Gray	Martin	Shannon	Winters
Cosad	Gregg	McDaniels	Sheide	Yale
Cuvillier	Hackett	McElligott	Shepardson	Yeomans
Dawson	Haines	McKeon	Shortt	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 473, Int. No. 461) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relating to the designation of an official newspaper," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 989, Int. No. 889) entitled "An act to amend chapter six hundred and eighty-four of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' relative to the laying of dust in the streets of said city,"

was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Fay	Hoff	Neupert	Terry
Brereton	Filley	Hollmann	Nolan	Trombly
Brooks	Fitzpatrick	Hoyt	O'Connor	Walker
Brown	Foley	Huber	Oliver	Waring
Bryant	Friedman	Jackson	O'Neill J J	Warren
Butler	Fry	Jameson	O'Neil M A	Washburn
Carew	Geatons	Jones	Pappert	Waters F A
Caughlan	Gerhardt	Kennedy	Parker A	Waters R B
Chanler	Gerken	Lansing	Patrie	Weil
Coffey	Goldstein	LaReau	Pierce	Wende
Collin	Goodman	Macdonald	Saunders	Wheeler
Colné	Gould	MacGregor	Schifferdecker	White
Connell	Graubard	Manley	Seeley	Wilson
Constantine	Gray	Martin	Shannon	Winters
Cosad	Gregg	McDaniels	Sheide	Yale
Cuvillier	Hackett	McElligott	Shepardson	Yeomans
Dawson	Haines	McKeon	Shortt	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 706, Int. No. 670) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to purchase lots, and to erect, construct, complete, enlarge and equip buildings for the use of the police and fire departments of said city," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 116
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantine	Gregg	Martin	Shannon	Winters
Cosad	Hackett	McDaniels	Sheide	Yale
Cuvillier	Haines	McElligott	Shepardson	Yeomans
Dawson	Hart	McKeon	Shortt	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1047, Int. No. 943) entitled "An act to amend the Greater New York charter, in relation to notes to be issued in anticipation of the sale of corporate stock," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 116
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan

Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantine	Gregg	Martin	Shannon	Winters
Cosad	Hackett	McDaniels	Sheide	Yale
Cuvillier	Haines	McElligott	Shepardson	Yeomans
Dawson	Hart	McKeon	Shortt	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 844, Int. No. 763) entitled "An act to amend the Labor Law, in relation to violations thereof by officers, agents and employees of any commission appointed pursuant to law," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	Merritt	Smith A E
Ahern	DeLano	Hammond	Miller	Smith T K
Allen	Donovan	Hearn	Monczynski	Spielberg
Beach	Drummond	Herrick W R	Mork	Stivers
Blauvelt	Ebbetts	Higgins	Murray	Sullivan
Boylan	Egan	Hinman	Myers	Talmage
Brace	Farrell	Hoey	Neupert	Terry
Brereton	Filley	Hoff	Nolan	Trombly
Brooks	Fitzpatrick	Hollmann	O'Connor	Walker
Brown	Foley	Hoyt	Oliver	Waring
Bryant	Friedman	Huber	O'Neill J J	Warren
Bush	Fry	Jackson	O'Neil M A	Washburn
Butler	Geatons	Jameson	Pappert	Waters F A
Carew	Gerhardt	Jones	Parker A	Waters R B
Caughlan	Gerken	Kennedy	Patrie	Weil
Chanler	Goldstein	Lansing	Pierce	Wende

Coffey	Goodman	LaReau	Saunders	Wheeler
Collin	Gould	MacGregor	Schifferdecker	White
Colné	Graubard	Manley	Seeley	Wilson
Connell	Gray	Martin	Shannon	Winters
Constantine	Gregg	McDaniels	Sheide	Yale
Cosad	Gurnett	McElligott	Shepardson	Yeomans
Cuvillier	Hackett	McKeon	Shortt	Zorn
Dawson	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 167, Int. No. 166) entitled "An act to amend the Greater New York charter, in relation to licensing operators of moving picture apparatus and its connections," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Moncsynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhaidt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantien	Gregg	Martin	Shannon	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cuvillier	Hackett	McElligott	Shepardson	Yeomans
Dawson	Haines	McKeon	Shortt	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 944, Int. No. 853) entitled "An act to enable the board of supervisors of the county of Albany to sell and convey to the city of Albany all of the right and title and interest of which the county of Albany is now seized and possessed in and to the real estate known as the city hall, in the city of Albany, for the purpose of acquiring funds to be used in the erection of a courthouse in and for the county of Albany," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Lent	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantine	Gregg	Martin	Shannon	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cuvillier	Hackett	McElligott	Shepardson	Yeomans
Dawson	Haines	McKeon	Shortt	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 943, Int. No. 852) entitled "An act to enable the board of supervisors of the county of Albany to grant an easement in or convey or lease a plot of ground, sufficient and adequate in

size from the portion of real estate of which Albany county is now seized and possessed, known as the 'Albany Penitentiary Property' for the purpose and to be used for the erection of a building or buildings of the Albany Medical College," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantine	Gregg	Martin	Shannon	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cuvillier	Hackett	McElligott	Shepardson	Yeomans
Dawson	Haines	McKeon	Shortt	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 967, Int. No. 876) entitled "An act to amend chapter two hundred and fifty-eight of the Laws of nineteen hundred and seven, entitled 'An act to provide for a police pension fund for the police force of the city of Watertown,' in relation to the composition of such fund," having been announced for a third reading,

On motion of Mr. Jones, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 814, Int. No. 74) entitled "An act to amend the Greater New York charter, so as to provide for a relief pension fund for the benefit of the members of clerical and uniformed forces of the department of street cleaning," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantine	Gregg	Martin	Shannon	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cuvillier	Hackett	McElligott	Shepardson	Yeomans
Dawson	Haines	McKeon	Shortt	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 277, Int. No. 275) entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and nine, entitled 'An act to make the office of the sheriff of

the county of Oswego a salaried office and to regulate the management thereof,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantine	Gregg	Martin	Shannon	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cuvillier	Hackett	McElligott	Shepardson	Yeomans
Dawson	Haines	McKeon	Shortt	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 183, Int. No. 182) entitled "An act to amend chapter one hundred and eighteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of county clerk of Oswego county a salaried office, and regulating the management of said office, and fixing the salary of said clerk and his assistants,' in relation to the salaries of the special deputy and court clerk and index clerk, in said county," was read the third time, having been printed and upon the desks of the members

in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantien	Gregg	Martin	Shannon	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cuvillier	Hackett	McElligott	Shepardson	Yeomans
Dawson	Haines	McKeon	Shortt	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 903, Int. No. 813) entitled "An act to amend the Highway Law, in relation to the course and description of State route number four," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	Merritt	Smith A E
Ahern	DeLano	Hammond	Miller	Smith T K
Allen	Donovan	Hearn	Monczynski	Spielberg
Beach	Drummond	Herrick W R	Mork	Stivers
Blauvelt	Ebbetts	Higgins	Murray	Sullivan
Boylan	Egan	Hinman	Myers	Talmage
Brace	Farrell	Hoey	Neupert	Terry
Brereton	Filley	Hoff	Nolan	Trombly
Brooks	Fitzpatrick	Hollmann	O'Connor	Walker
Brown	Foley	Hoyt	Oliver	Waring
Bryant	Friedman	Huber	O'Neill J J	Warren
Bush	Fry	Jackson	O'Neil M A	Washburn
Butler	Geatons	Jameson	Pappert	Waters F A
Carew	Gerhardt	Jones	Parker A	Waters R B
Caughlan	Gerken	Kennedy	Patrie	Weil
Chanler	Goldstein	Lansing	Pierce	Wende
Coffey	Goodman	LaReau	Saunders	Wheeler
Collin	Gould	Macdonald	Schifferdecker	White
Colné	Graubard	MacGregor	Seeley	Wilson
Connell	Gray	Manley	Shannon	Winters
Constantine	Gregg	Martin	Sheide	Yale
Cosad	Gurnett	McDaniels	Shepardson	Yeomans
Cuvillier	Hackett	McElligott	Shortt	Zorn
Dawson	Haines	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 702, Int. No. 666) entitled "An act to legalize, ratify and confirm the acts and proceedings of the comptroller and other officers and boards of the city of Buffalo, creating, investing and reinvesting certain railroad grade crossings bond sinking funds, and to provide for the payment of grade crossing bonds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg

Beach	Ebbetts	Higgins	Mork	Stivers
Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Brereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantine	Gregg	Martin	Shannon	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cuvillier	Hackett	McElligott	Shepardson	Yeomans
Dawson	Haines	McKeon	Shortt	Zorn
Day	Hart			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 84, Senate reprint No. 593, Int. No. 84), entitled "An act to amend the Greater New York charter, relative to the compensation of commissioners of estimate and appraisal," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 1, after the word "forty-four" insert the words "Greater New York charter, as re-enacted by".

Line 3, commencing with the word "entitled" strike out all down to and including the word "ninety-seven".

Mr. Oliver moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would agree in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Hammond	Merritt	Smith A E
Ahern	Donovan	Hearn	Miller	Smith T K
Allen	Drummond	Herrick W R	Monczynski	Spielberg
Beach	Ebbetts	Higgins	Mork	Stivers

Blauvelt	Egan	Hinman	Murray	Sullivan
Boylan	Farrell	Hoey	Myers	Talmage
Brace	Filley	Hoff	Neupert	Terry
Prereton	Fitzpatrick	Hollmann	Nolan	Trombly
Brooks	Foley	Hoyt	O'Connor	Walker
Brown	Friedman	Huber	Oliver	Waring
Bryant	Fry	Jackson	O'Neill J J	Warren
Butler	Geatons	Jameson	O'Neil M A	Washburn
Carew	Gerhardt	Jones	Pappert	Waters F A
Caughlan	Gerken	Kennedy	Parker A	Waters R B
Chanler	Goldstein	Lansing	Patrie	Weil
Coffey	Goodman	LaReau	Pierce	Wende
Collin	Gould	Macdonald	Saunders	Wheeler
Colné	Graubard	MacGregor	Schifferdecker	White
Connell	Gray	Manley	Seeley	Wilson
Constantine	Gregg	Martin	Shannon	Winters
Cosad	Gurnett	McDaniels	Sheide	Yale
Cuvillier	Hackett	McElligott	Shepardson	Yeomans
Dawson	Haines	McKeon	Shortt	Zorn
Day	Hart			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 212, Senate reprint No. 591, Int. No. 211), entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 1, insert bracket before "a"; insert bracket after "majority"; before the second "of" insert in italics "more than one-half in value".

Page 3, line 15, insert bracket before "a"; insert bracket after "majority".

Line 16, at the beginning of line before "of" insert in italics "more than one-half in value".

Line 17, strike out "resident"; after "property" insert in italics "residing".

Page 4, line 10, insert bracket before "a"; insert bracket after "majority".

Line 11, at beginning of line before "in" insert in italics "more than one-half".

Line 12, strike out "resident"; after "property" insert in italics "residing".

After line 24, and before line 25, insert the following:

"§ 2. This act shall not affect any proceeding now pending under any sections of the Town Law amended by this act and begun in conformity to the requirements thereof as they existed

prior to the taking effect of this act, and such proceedings may be conducted to completion with the same force and effect as if said sections had not been hereby amended."

Line 25, change "2" to "3".

Mr. Merritt moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hart	Merritt	Smith A E
Ahern	DeLano	Hammond	Miller	Smith T K
Allen	Donovan	Hearn	Monczynski	Spielberg
Beach	Drummond	Herrick W R	Mork	Stivers
Blauvelt	Ebbetts	Higgins	Murray	Sullivan
Boylan	Egan	Hinman	Myers	Talmage
Brace	Farrell	Hoey	Neupert	Terry
Brereton	Filley	Hoff	Nolan	Trombly
Brooks	Fitzpatrick	Hollmann	O'Connor	Walker
Brown	Foley	Hoyt	Oliver	Waring
Bryant	Friedman	Huber	O'Neill J J	Warren
Bush	Fry	Jackson	O'Neil M A	Washburn
Butler	Geatons	Jameson	Pappert	Waters F A
Carew	Gerhardt	Jones	Parker A	Waters R B
Caughlan	Gerken	Kennedy	Patrie	Weil
Chanler	Goldstein	Lansing	Pierce	Wende
Coffey	Goodman	LaReau	Saunders	Wheeler
Collin	Gould	Macdonald	Schifferdecker	White
Colné	Graubard	MacGregor	Seeley	Wilson
Connell	Gray	Manley	Shannon	Winters
Constantine	Gregg	Martin	Sheide	Yale
Cosad	Gurnett	McDaniels	Shepardson	Yeomans
Cuvillier	Hackett	McElligott	Shortt	Zorn
Dawson	Haines	McKeon		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

A communication was received from Hon. Louis P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 44, Senate reprint No. 624, Int. No. 44), entitled "An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds in

the sum of two million dollars for the purpose of acquiring additional park lands and lands along the water front and improving the same,' authorizing the use of a part of the proceeds of the sale or sales of said bonds for improvements on park lands heretofore acquired by said city, and authorizing an increased rate of interest to be paid on such bonds," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Roscoe Irwin, mayor of the city of Kingston, returning Assembly bill (No. 36, Int. No. 36), entitled "An act to authorize the city of Kingston to borrow money for the acquisition of a site and the construction of a building for city purposes," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Roscoe Irwin, mayor of the city of Kingston, returning Assembly bill (No. 35, Int. No. 35), entitled "An act to authorize the city of Kingston to borrow money for street improvements and issue bonds therefor," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. A. E. Smith, the House adjourned.

TUESDAY, MARCH 21, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Ninety-second Annual Report of the New York Institution for the Instruction of the Deaf and Dumb, which was laid upon the table and ordered printed.

(See Assembly Document No. 42.)

Also, the Thirty-sixth Annual Report of the Central New York Institution for Deaf-Mutes at Rome, which was laid upon the table and ordered printed.

(See Assembly Document No. 41.)

The Senate sent for concurrence the following entitled bills:

"An act to repeal section three hundred and thirty-three of the Real Property Law, and to validate the record of certain instruments" (No. 164, Rec. No. 81), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter three hundred and sixty-nine of the Laws of eighteen hundred and ninety-five, entitled 'An act creating a commissioner of jurors for each county of the State, having a certain population, and regulating and prescribing his duties; also providing in what manner jury lists shall be made up and jurors drawn and notified in the courts of record in such counties, and how they may be exempted or excused, and the length of service of such jurors generally,' in relation to the deposit of names in the jury box and the qualifications of jurors" (No. 737, Rec. No. 82), which was read the first time and referred to the committee on the judiciary.

"An act making an appropriation for the construction of new buildings for the Oswego Normal and Training School as provided by chapter five hundred and ninety-two of the Laws of nineteen hundred and nine, and the acts amendatory thereof" (No. 115, Rec. No. 83), which was read the first time and referred to the committee on ways and means.

"An act to amend the Election Law, in relation to the delivery and filing of papers in the city of New York" (No. 527, Rec. No. 84), which was read the first time and referred to the committee on the judiciary.

"An act to amend the State Boards and Commissions Law, in relation to proceedings by the State Water Supply Commission upon approval of petition for improvement of rivers and water courses" (No. 521, Rec. No. 85), which was read the first time and referred to the committee on the judiciary.

"An act to provide for an investigation into the subject of utilizing sewage for fertilizer, and making an appropriation there-

for" (No. 447, Rec. No. 86), which was read the first time and referred to the committee on ways and means.

"An act to amend an act in relation to legislation, constituting chapter thirty-two of the Consolidated Laws, in regard to the publication of laws passed by the Legislature, in four newspapers in the county of New York" (No. 404, Rec. No. 87), which was read the first time and referred to the committee on the judiciary.

"An act to amend the State Charities Law, in relation to the admission of patients to the New York State Hospital for the Care of Crippled and Deformed Children" (No. 397, Rec. No. 88), which was read the first time and referred to the committee on charitable and religious societies.

"An act to amend the Greater New York charter, relating to the appointment of a chief medical officer of the fire department" (No. 633, Rec. No. 89), which was read the first time and referred to the committee on affairs of cities."

"An act to incorporate the trustees of the Phelps-Stokes fund" (No. 734, Rec. No. 90), which was read the first time and referred to the committee on the judiciary.

Mr. Kennedy introduced a bill entitled "An act to amend the Military Law, in relation to uniforms of the militia when appearing on public parade" (Int. No. 1098), which was read the first time and referred to the committee on military affairs.

Mr. Sheide introduced a bill entitled "An act to amend the Village Law, in relation to petitions for street improvements" (Int. No. 1099), which was read the first time and referred to the committee on affairs of villages.

Mr. Collin introduced a bill entitled "An act to amend the Village Law, in relation to street improvements in villages of the second class" (Int. No. 1100), which was read the first time and referred to the committee on affairs of villages.

Mr. Gould introduced a bill entitled "An act to provide for the removal of obstructions from a portion of Sawyer's creek in the county of Niagara, and making an appropriation therefor" (Int. No. 1101), which was read the first time and referred to the committee on ways and means.

Mr. Martin introduced a bill entitled "An act to amend chapter six hundred and ninety of the Laws of nineteen hundred and

ten, entitled 'An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six,' entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to the acquisition of parks in said village, and to provide for their maintenance and improvement" (Int. No. 1102), which was read the first time and referred to the committee on affairs of villages.

Mr. Jackson introduced a bill entitled "An act to regulate the trial of charges against police officers of the various cities of the State" (Int. No. 1103), which was read the first time and referred to the committee on affairs of cities.

Mr. Bush introduced a bill entitled "An act to amend the Public Health Law, generally" (Int. No. 1104), which was read the first time and referred to the committee on public health.

Mr. McElligott introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to bonds to be given" (Int. No. 1105), which was read the first time and referred to the committee on excise.

Also, "An act to amend the Liquor Tax Law, in relation to consents and petitions for the revocation and cancellation of liquor tax certificates" (Int. No. 1106), which was read the first time and referred to the committee on excise.

Mr. MacGregor introduced a bill entitled "An act to amend the Penal Law, in relation to selling commodities by any device involving the element of chance" (Int. No. 1107), which was read the first time and referred to the committee on codes.

Mr. Jackson introduced a bill entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof, relating to the levying, imposing and collection of taxes and assessments in said city" (Int. No. 1108), which was read the first time and referred to the committee on affairs of cities.

Mr. Martin introduced a bill entitled "An act to amend chapter five hundred and six of the Laws of nineteen hundred and two, as amended by chapter six hundred and three of the Laws of nineteen hundred and six, entitled 'An act to amend the charter of the village of Saratoga Springs, and to provide for the appointment

of sewer, water and street commissioners for said village, and to prescribe their powers and duties,' in relation to the commissioner borrowing money for certain purposes" (Int. No. 1109), which was read the first time and referred to the committee on affairs of villages.

Mr. McDaniels introduced a bill entitled "An act providing for the development and extension of the State College of Agriculture and the State Veterinary College at Cornell University, and making an appropriation therefor" (Int. No. 1110), which was read the first time and referred to the committee on ways and means.

Mr. Chanler, by request, introduced a bill entitled "An act to amend the Labor Law, in relation to the preparation of an industrial directory by the Commissioner of Labor" (Int. No. 1111), which was read the first time and referred to the committee on labor and industries.

Mr. J. Levy introduced a bill entitled "An act to amend the Public Lands Law, in relation to escheated lands" (Int. No. 1112), which was read the first time and referred to the committee on ways and means.

Mr. Jackson introduced a bill entitled "An act to erect a new county, to be known as the county of Buffalo, by setting apart certain cities and towns in the county of Erie, and to provide for the administration and government thereof" (Int. No. 1113), which was read the first time and referred to the committee on internal affairs.

Mr. Brennan offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly one thousand additional copies of Assembly bill (No. 729, Int. No. 154), entitled "An act to amend the Public Health Law, relating to cold storage and refrigerating warehouses and places and the sale or disposition of the foods kept or preserved therein."

which was referred to the committee on public printing.

Mr. M. A. O'Neil, from the committee on banks, to which was referred Assembly bill introduced by Mr. Neupert (No. 825, Int. No. 753), entitled "An act to amend chapter sixty-two of the Laws of nineteen hundred and nine, entitled 'An act in relation to taxation, constituting chapter sixty of the Consolidated Laws,'

in relation to bank taxes," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the General Business Law, in relation to the certification of public accountants." (No. 1097, Int. No. 459.)

"An act to amend, consolidate and revise the several acts relative to the city of Amsterdam." (No. 1223, Int. No. 56.)

"An act to amend the Code of Civil Procedure, in relation to exemptions and executions." (No. 616, Int. No. 588.)

"An act to amend the Public Service Commissions Law, in relation to transportation of passengers at reduced rates, in certain cases." (No. 169, Int. No. 168.)

"An act to amend the Public Service Commissions Law, in relation to free or reduced transportation by common carriers." (No. 1054, Int. No. 950.)

"An act to amend the Code of Civil Procedure, in relation to judgment upon appeal from a justice's court." (No. 900, Int. No. 810.)

"An act to amend the Railroad Law, in relation to the construction of street surface railroads upon grounds occupied by public buildings or in public parks." (No. 157, Int. No. 156.)

Mr. Huber offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of the bill (No. 597, Int. No. 575), entitled "An act to establish a law library in the county of Queens and making an appropriation therefor."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Huber moved to amend as follows:

Strike out the title thereof and substitute therefor the following: "An act to amend the Education Law, in relation to establishing a law library in the county of Queens."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Huber, said bill was ordered reprinted and committed to the committee on public education.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Drummond	Hinman	Miller	Smith T K
Ahern	Ebbetts	Hoey	Moncsynski	Spielberg
Allen	Egan	Hoff	Mork	Stivers
Blauvelt	Evans	Hollmann	Murray	Sullivan
Boylan	Farrell	Hoyt	Myers	Talmage
Brace	Fay	Huber	Neupert	Terry
Brennan	Filley	Jackson	Nolan	Trombly
Brereton	Fitzpatrick	Jameson	O'Connor	Turley
Bridenbecker	Foley	Jones	Oliver	Walker
Brooks	Friedman	Kennedy	O'Neill J J	Ward
Brown	Fry	Keys	O'Neil M A	Waring
Bryant	Geatons	Kopp	Parker A	Warren
Bush	Gerhardt	Lansing	Patrie	Washburn
Butler	Gillen	LaReau	Phillips C W	Waters F A
Carew	Goldberg	Lent	Phillips J S	Waters R B
Caughlan	Goodman	Levy A J	Pierce	Weil
Chanler	Goodwin	Levy J	Saunders	Wende
Cheney	Gould	Lincoln	Schifferdecker	Wheeler
Coffey	Graubard	Macdonald	Seeley	White
Collin	Gray	MacGregor	Shannon	Wilson
Colné	Gregg	Manley	Shea	Winters
Constantine	Hackett	Martin	Sheide	Yale
Coead	Haines	McCue	Shepardson	Yeomans
Cuvillier	Hart	McDaniels	Shlivek	Young
Dawson	Hammond	McElligott	Shortt	Zorn
Day	Herrick J J	McKeon	Smith A E	Speaker
Donnelly	Higgins	Merritt		

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 441, Int. No. 43) entitled "An act to amend the General Business Law, in relation to rate of interest to be demanded or received by a pawnbroker," having been announced for a second reading,

On motion of Mr. Ward, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 496, Int. No. 485) entitled "An act to release to Alfredo Barili all of the right, title and interest of the people of the State of New York in and to certain real estate situated

in the city of Yonkers, county of Westchester, and State of New York, acquired by escheat or otherwise upon the death of Carlo Scola, and Carlo Scola, his son," was read the second time.

On motion of Mr. Fry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 490, Int. No. 478) entitled "An act to regulate the fares for foot passengers on the ferry operated between Ninety-second street, New York, and Astoria, Long Island," having been announced for a second reading,

On motion of Mr. Zorn, said bill was recommitted to the committee on commerce and navigation, retaining its place on the order of second reading. .

The bill (No. 1180, Int. No. 882) entitled "An act to amend the Penal Law, in relation to guide signs lawfully erected upon highways," was read the second time.

On motion of Mr. Adler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1181, Int. No. 256) entitled "An act to amend the Personal Property Law, in relation to the application of funds collected for charitable or benevolent purposes," having been announced, Mr. Foley moved to amend as follows:

Page 2, line 10, strike out the word "majority" and all the rest of the line.

Line 11, strike out the words "receipt of the fund or", and insert in place thereof the following: "treasurer of such association or of such committee shall reside, or, if such treasurer shall reside out of the State, in the county in which at least ten per cent of the contributors to such fund shall have resided at the time of its receipt," in italics.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 1182, Int. No. 109) entitled "An act to amend the Tax Law, in relation to the time in which an application for a refund of tax may be made," was read the second time.

On motion of Mr. Haines, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1179, Int. No. 711) entitled "An act to amend

the Insurance Law, in relation to the powers of title guaranty corporations," was read the second time.

On motion of Mr. W. R. Herrick, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1171, Int. No. 146) entitled "An act to amend the Greater New York charter, in regard to the appointment of a municipal architect," was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1170, Int. No. 43) entitled "An act to amend the State Boards and Commissions Law, relative to notice, plans, specifications and map," was read the second time.

On motion of Mr. Martin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1183, Int. No. 490) entitled "An act to amend the Code of Civil Procedure, in relation to motions for new trials," having been announced, Mr. Hammond moved to recommit said bill to the committee on codes.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 61
NOES 65

Those who voted in the affirmative were:

Adler	Constantine	Jones	Nolan	Talmage
Ahern	Dawson	Kopp	Patrie	Ward
Allen	Drummond	Lansing	Phillips C W	Waring
Brereton	Ebbetts	Lent	Phillips J S	Waters F A
Brooks	Goodwin	Levy A J	Pierce	Waters R B
Brown	Gray	Levy J	Saunders	Wende
Bryant	Hart	Macdonald	Shannon	White
Butler	Hammond	MacGregor	Shepardson	Wilson
Chanler	Herrick W R	Merritt	Shlivek	Winters
Cheney	Higgins	Mork	Shortt	Yale
Coffey	Hinman	Murray	Smith T K	Yeomans
Collin	Hoff	Neupert	Stivers	Young
Colné				

Those who voted in the negative were:

Blauvelt	Farrell	Gurnett	McCue	Seeley
Boylan	Fay	Hackett	McDaniels	Sheide
Brace	Fitzpatrick	Herrick J J	McElligott	Smith A E
Brennan	Foley	Hoey	McGrath	Spielberg
Bush	Friedman	Hollmann	McKeon	Sullivan
Carew	Fry	Hoyt	Miller	Terry
Caughlan	Geatons	Huber	Monczynski	Trombly

Cosad	Gerhardt	Jackson	Myers	Turley
Cuvillier	Gillen	Jameson	O'Connor	Walker
Day	Goldberg	Kennedy	Oliver	Warren
Donnelly	Gould	LaReau	O'Neill J J	Weil
Egan	Graubard	Manley	Parker A	Wheeler
Evans	Gregg	Martin	Schifferdecker	Zorn

Said bill was then read the second time.

On motion of Mr. McElligott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1173, Int. No. 377) entitled "An act to amend the Education Law, relative to the New York state teachers' retirement fund for public school teachers," was read the second time.

On motion of Mr. Patrie, said bill was placed on the order of third reading.

On motion of Mr. Patrie, said bill was recommitted to the committee on public education, retaining its place on the order of third reading.

The bill (No. 1184, Int. No. 737) entitled "An act to amend chapter twenty of the Consolidated Laws, General Business Law, article fifteen, hops and hay," having been announced for a second reading,

On motion of Mr. Patrie, said bill was recommitted to the committee on general laws, retaining its place on the order of second reading.

The bill (No. 1185, Int. No. 740) entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to bail in magistrates' courts in said city," was read the second time.

On motion of Mr. Spielberg, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1186, Int. No. 936) entitled "An act to amend the Penal Law, relative to buying or receiving stolen or wrongfully acquired property," was read the second time.

On motion of Mr. Warren, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1168, Int. No. 549) entitled "An act to amend the Code of Civil Procedure, in relation to actions for negligence," was read the second time.

On motion of Mr. Warren, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1189, Int. No. 266) entitled "An act to amend the Personal Property Law, in relation to sales of goods," was read the second time.

On motion of Mr. Warren, said bill was placed on the order of third reading and referred to the committee on revision.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Fiero	Haiden	Murtaugh	Sanner	
Black	Frawley	Long	O'Brien	Stilwell	
Cronin	Gittins	McClelland	Pollock	Sullivan T D	
Cullen	Griffin	McManus	Ramsperger	Wagner	
Ferris					21

FOR CHAUNCEY M. DEPEW.

Argetsinger	Emerson	Hinman	Rose	Travis	
Bussey	Hamilton	Ormrod	Sage	Wainwright	
Coats	Heacock	Platt	Thomas	Walters	
Cobb	Hewitt				17

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR M. J. O'BRIEN.

Loomis	Saxe	1

FOR WILLIAM SULZER.

White	2

FOR J. J. HOPPER.

Duhamel	1

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Fay	Hackett	McGrath	Seeley
Boylan	Fitzpatrick	Herrick J J	McKeon	Sheide
Brennan	Foley	Hoey	Monczynski	Smith A E
Bush	Frisbie	Jackson	Mork	Spielberg

Carew	Geatons	Jameson	Neupert	Turley	
Caughlan	Gerhardt	LaReau	Oliver	Walker	
Collin	Gillen	Levy A J	O'Neill J J	Warren	
Cuvillier	Goldberg	Levy J	O'Neil M A	Washburn	
Dawson	Gould	Manley	Parker A	Weil	
Donnelly	Graubard	McCue	Patrie	Wende	
Egan	Gregg	McElligott	Schifferdecker	Zorn	
Farrell	Gurnett				57

FOR CHAUNCEY M. DEPEW.

Adler	Constantien	Hoff	Phillips C W	Ward	
Ahern	Ebbetts	Jones	Phillips J S	Waring	
Allen	Filley	Kopp	Pierce	Waters F A	
Brereton	Goodman	Lansing	Shannon	Waters R B	
Brooks	Goodwin	Lent	Shepardson	White	
Brown	Gray	Macdonald	Shlivek	Wilson	
Bryant	Haines	MacGregor	Smith T K	Winters	
Butler	Hammond	Merritt	Stivers	Yale	
Cheney	Hart	Murray	Sullivan	Yeomans	
Coffey	Higgins	Nolan	Talmage	Young	
Colné	Hinman				52

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN H. GLYNN.

Saunders 1

FOR M. J. O'BRIEN.

Chanler Fry Shortt 3

FOR MARTIN W. LITTLETON.

Brace	Friedman	Hoyt	Kennedy	Trombly	
Drummond	Hollmann	Huber	Martin		9

FOR JOHN D. KERNAN.

Bridenbecker	Evans	Myers	Terry	Wheeler	
Cosad	Miller				7

FOR JOHN N. CARLISLE.

Day 1

FOR J. J. HOPPER.

O'Connor 1

Whole number of votes cast..... 176

Necessary to a choice..... 89

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	21	57	78
For Chauncey M. Depew.....	17	52	69
For Alton B. Parker.....	0	1	1
For Martin W. Littleton.....	2	9	11
For Martin H. Glynn.....	0	1	1

	Senators.	Assemblymen.	Total.
For John D. Kernan.....	0	7	7
For Morgan J. O'Brien.....	2	3	5
For William Sulzer	1	0	1
For John N. Carlisle.....	0	1	1
For John J. Hopper.....	1	1	2

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew, whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Wednesday, March 22d, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Wednesday, March 22d, at twelve o'clock noon in the Assembly Chamber.

The bill (No. 358, Int. No. 351) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section two of article six of the Constitution, in relation to assignment of justices of the Supreme Court to hold Special and Trial Terms," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 3

Those who voted in the affirmative were:

Adler	Day	Hammond	Merritt	Smith T K
Ahern	Donnelly	Herrick J J	Miller	Spielberg
Allen	Drummond	Higgins	Moncsynski	Stivers
Blauvelt	Ebbetts	Hoey	Mork	Sullivan

Boylan	Egan	Hoff	Myers	Talmage
Brace	Evans	Hollmann	Neupert	Trombly
Brennan	Farrell	Hoyt	Nolan	Turley
Brereton	Fay	Huber	O'Connor	Walker
Bridenbecker	Filley	Jackson	Oliver	Ward
Brooks	Foley	Jameson	O'Neill J J	Waring
Brown	Friedman	Kennedy	Parker A	Warren
Bryant	Fry	Kopp	Patrie	Washburn
Bush	Geatons	Lansing	Phillips C W	Waters F A
Butler	Gerhardt	LaReau	Phillips J S	Waters R B
Carew	Gillen	Lent	Pierce	Weil
Caughlan	Goldberg	Levy A J	Saunders	Wende
Chanler	Goldstein	Levy J	Schifferdecker	Wheeler
Cheney	Goodman	Macdonald	Seeley	White
Coffey	Gould	MacGregor	Shannon	Wilson
Collin	Graubard	Manley	Sheide	Winters
Colné	Gray	Martin	Shepardson	Yale
Constantine	Gregg	McCue	Shlivek	Yeomans
Cosad	Hackett	McDaniels	Shortt	Young
Cuvillier	Haines	McElligott	Smith A E	Zorn
Dawson	Hart	McKeon		

Those who voted in the negative were:

Hinman	Murray	Terry

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1022, Int. No. 295) entitled "An act to amend the Insanity Law, relative to the retirement of employees of State hospitals for the insane," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Kennedy	Oliver	Walker

Brown	Fry	Keys	O'Neill J J	Ward
Bryant	Geatons	Kopp	O'Neil M A	Waring
Bush	Gerhardt	Lansing	Parker A	Warren
Butler	Gillen	LaReau	Patrie	Washburn
Carew	Goldberg	Lent	Phillips C W	Waters F A
Caughlan	Goldstein	Levy A J	Phillips J S	Waters R B
Chanler	Goodman	Levy J	Pierce	Weil
Cheney	Goodwin	Lincoln	Saunders	Wende
Coffey	Gould	Macdonald	Schifferdecker	Wheeler
Collin	Graubard	MacGregor	Seeley	White
Colné	Gray	Manley	Shannon	Wilson
Constantine	Gregg	Martin	Shea	Winters
Cosad	Hackett	McCue	Sheide	Yale
Cuvillier	Haines	McDaniels	Shepardson	Yeomans
Dawson	Hart	McElligott	Shlivek	Young
Day	Hammond	McKeon	Shortt	Zorn
Donnelly	Herrick J J			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1092, Int. No. 353) entitled "An act to amend the Greater New York charter, in relation to allowances for blind persons and appropriations therefor, and making temporary provision for raising funds for the present increase of such allowances," having been announced for a third reading,

On motion of Mr. McCue, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1107, Int. No. 290) entitled "An act to amend the Public Health Law, in relation to statements in prescriptions by physicians," having been announced for a third reading,

On motion of Mr. Turley, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 537, Int. No. 520) entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to ward boundaries," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Moncsynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 473, Int. No. 461) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relating to the designation of an official newspaper," having been announced,

Mr. Gerhardt moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

On line 4, page 2, insert the words " and printed " in italics.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1158, Int. No. 892) entitled "An act to amend the General Business Law, in relation to licensing pawnbrokers in certain cities," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Moncsynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Kennedy	Oliver	Walker
Brown	Fry	Keys	O'Neill J J	Ward
Bryant	Geatons	Kopp	O'Neil M A	Waring
Bush	Gerhardt	Lansing	Parker A	Warren
Butler	Gillen	LaReau	Patrie	Washburn
Carew	Goldberg	Lent	Phillips C W	Waters F A
Caughlan	Goldstein	Levy A J	Phillips J S	Waters R B
Chanler	Goodman	Levy J	Pierce	Weil
Cheney	Goodwin	Lincoln	Saunders	Wende
Coffey	Gould	Macdonald	Schifferdecker	Wheeler
Collin	Graubard	MacGregor	Seeley	White
Colné	Gray	Manley	Shannon	Wilson
Constantine	Gregg	Martin	Shea	Winters
Cosad	Hackett	McCue	Sheide	Yale
Cuvillier	Haines	McDaniels	Shepardson	Yeomans
Dawson	Hart	McElligott	Shlivek	Young
Day	Hammond	McKeon	Shortt	Zorn
Donnelly	Herrick J J			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1156, Int. No. 875) entitled "An act to legalize, ratify and confirm certain bonds of the town of Philadelphia, Jefferson county, to be issued for bridge purposes and to legalize, ratify and confirm all proceedings in relation to the issuance and sale thereof; to regulate the delivery of such bonds and provide for their payment," was read the third time, having been printed

and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Moncsynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Kennedy	Oliver	Walker
Brown	Fry	Keys	O'Neill J J	Ward
Bryant	Geatons	Kopp	O'Neil M A	Waring
Bush	Gerhardt	Lansing	Parker A	Warren
Butler	Gillen	LaReau	Patrie	Washburn
Carew	Goldberg	Lent	Phillips C W	Waters F A
Caughlan	Goldstein	Levy A J	Phillips J S	Waters R B
Chanler	Goodman	Levy J	Pierce	Weil
Cheney	Goodwin	Lincoln	Saunders	Wende
Coffey	Gould	Macdonald	Schifferdecker	Wheeler
Collin	Graubard	MacGregor	Seeley	White
Colné	Gray	Manley	Shannon	Wilson
Constantine	Gregg	Martin	Shea	Winters
Cosad	Hackett	McCue	Sheide	Yale
Cuvillier	Haines	McDaniels	Shepardson	Yeomans
Dawson	Hart	McElligott	Shlivek	Young
Day	Hammond	McKeon	Shortt	Zorn
Donnelly	Herrick J J			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1160, Int. No. 896) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the expenses of attendance upon conventions and conferences," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Moncsynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

At one o'clock P. M., on motion of Mr. A. E. Smith, the House took a recess until 1:30 o'clock.

ONE O'CLOCK AND THIRTY MINUTES P. M.

The House again convened.

The bill (No. 1161, Int. No. 677) entitled "An act to amend the Greater New York charter, in relation to local improvements, giving the local boards power to cause the curbing and recurbing of sidewalks, the construction of gutters, receiving basins and inlets within their respective districts in the city of New York,

when the expenses to be incurred do not exceed the sum of two thousand dollars," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Kennedy	Oliver	Walker
Brown	Fry	Keys	O'Neill J J	Ward
Bryant	Geatons	Kopp	O'Neil M A	Waring
Bush	Gerhardt	Lansing	Parker A	Warren
Butler	Gillen	LaReau	Patrie	Washburn
Carew	Goldberg	Lent	Phillips C W	Waters F A
Caughlan	Goldstein	Levy A J	Phillips J S	Waters R B
Chanler	Goodman	Levy J	Pierce	Weil
Cheney	Goodwin	Lincoln	Saunders	Wende
Coffey	Gould	Macdonald	Schifferdecker	Wheeler
Collin	Graubard	MacGregor	Seeley	White
Colné	Gray	Manley	Shannon	Wilson
Constantine	Gregg	Martin	Shea	Winters
Cosad	Hackett	McCue	Sheide	Yale
Cuvillier	Haines	McDaniels	Shepardson	Yeomans
Dawson	Hart	McElligott	Shlivek	Young
Day	Hammond	McKeon	Shortt	Zorn
Donnelly	Herrick J J			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1155, Int. No. 897) entitled "An act to amend the Greater New York charter, relative to the fixing, determining upon and establishing line of high water and relative to the sale and exchange of lands and lands under water in connection therewith," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Kennedy	Oliver	Walker
Brown	Fry	Keys	O'Neill J J	Ward
Bryant	Geatons	Kopp	O'Neil M A	Waring
Bush	Gerhardt	Lansing	Parker A	Warren
Butler	Gillen	LaReau	Patrie	Washburn
Carew	Goldberg	Lent	Phillips C W	Waters F A
Caughlan	Goldstein	Levy A J	Phillips J S	Waters R B
Chanler	Goodman	Levy J	Pierce	Weil
Cheney	Goodwin	Lincoln	Saunders	Wende
Coffey	Gould	Macdonald	Schifferdecker	Wheeler
Collin	Graubard	MacGregor	Seeley	White
Colné	Gray	Manley	Shannon	Wilson
Constantine	Gregg	Martin	Shea	Winters
Cosad	Hackett	McCue	Sheide	Yale
Cuvillier	Haines	McDaniels	Shepardson	Yeomans
Dawson	Hart	McElligott	Shlivek	Young
Day	Hammond	McKeon	Shortt	Zorn
Donnelly	Herrick J J			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1157, Int. No. 610) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the police pension fund of said city," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1159, Int. No. 387) entitled "An act to amend the Second Class Cities Law, relating to temporary and funded debts," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers

Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 599, Int. No. 577) entitled "An act to amend the Education Law, in relation to the establishment of a State school of sanitary science and public health at Cornell University, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward

Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 985, Int. No. 885) entitled "An act to amend the Military Law, in relation to enlisted men of the National Guard and Naval Militia," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Moncsynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Kennedy	Oliver	Walker
Brown	Fry	Keys	O'Neill J J	Ward
Bryant	Geatons	Kopp	O'Neil M A	Waring
Bush	Gerhardt	Lansing	Parker A	Warren
Butler	Gillen	LaReau	Patrie	Washburn
Carew	Goldberg	Lent	Phillips C W	Waters F A
Caughlan	Goldstein	Levy A J	Phillips J S	Waters R B
Chanler	Goodman	Levy J	Pierce	Weil
Cheney	Goodwin	Lincoln	Saunders	Wende
Coffey	Gould	Macdonald	Schifferdecker	Wheeler
Collin	Graubard	MacGregor	Seeley	White
Colné	Gray	Manley	Shannon	Wilson

Constantine	Gregg	Martin	Shea	Winters
Cosad	Hackett	McCue	Sheide	Yale
Cuvillier	Haines	McDaniels	Shepardson	Yeomans
Dawson	Hart	McElligott	Shlivek	Young
Day	Hammond	McKeon	Shortt	Zorn
Donnelly	Herrick J J			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1056, Int. No. 952) entitled "An act making an appropriation for the New York State School of Agriculture of the Saint Lawrence University for the general purposes thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Moncsynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gonld	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 526, Int. No. 511) entitled "An act to legalize and confirm the official acts of notaries public and commissioners of deeds," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 414, Int. No. 405) entitled "An act to release to Emil Riese all the right, title and interest of the people of the State of New York in and to certain real estate in the borough of Brooklyn, city of New York, county of Kings and State of New York," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Moncsynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 489, Int. No. 477) entitled "An act to amend the Tax Law, in relation to the salary of the transfer tax clerk in the county of Queens," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Moncsynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 759, Int. No. 697) entitled "An act to amend chapter four hundred and seventy-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the city of Olean,' generally," was read the third time, having been printed

and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Pierce	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 945, Int. No. 854) entitled "An act to amend the Military Law, in relation to service of the National Guard and Naval Militia," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Kennedy	Oliver	Walker
Brown	Fry	Keys	O'Neill J J	Ward
Bryant	Geatons	Kopp	O'Neil M A	Waring
Bush	Gerhardt	Lansing	Parker A	Warren
Butler	Gillen	LaReau	Patrie	Washburn
Carew	Goldberg	Lent	Phillips C W	Waters F A
Caughlan	Goldstein	Levy A J	Phillips J S	Waters R B
Chanler	Goodman	Levy J	Pierce	Weil
Cheney	Goodwin	Lincoln	Saunders	Wende
Coffey	Gould	Macdonald	Schifferdecker	Wheeler
Collin	Graubard	MacGregor	Seeley	White
Colne	Gray	Manley	Shannon	Wilson
Constantine	Gregg	Martin	Shea	Winters
Cosad	Hackett	McCue	Sheide	Yale
Cuvillier	Haines	McDaniels	Shepardson	Yeomans
Dawson	Hart	McElligott	Shlivek	Young
Day	Hammond	McKeon	Shortt	Zorn
Donnelly	Herrick J J			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 423, Int. No. 418) entitled "An act to amend the Insurance Law, in relation to the character of the automobile indemnity which may be assumed by fire and marine insurance corporations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg

Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 781, Int. No. 714) entitled "An act to amend the Agricultural Law, in relation to manufacture and sale of spirits of turpentine, turpentine and linseed and flaxseed oil," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Kennedy	Oliver	Walker
Brown	Fry	Keys	O'Neill J J	Ward

Bryant	Geatons	Kopp	O'Neil M A	Waring
Bush	Gerhardt	Lansing	Parker A	Warren
Butler	Gillen	LaReau	Patrie	Washburn
Carew	Goldberg	Lent	Phillips C W	Waters F A
Caughlan	Goldstein	Levy A J	Phillips J S	Waters R B
Chanler	Goodman	Levy J	Pierce	Weil
Cheney	Goodwin	Lincoln	Saunders	Wende
Coffey	Gould	Macdonald	Schifferdecker	Wheeler
Collin	Graubard	MacGregor	Seeley	White
Colné	Gray	Manley	Shannon	Wilson
Constantine	Gregg	Martin	Shea	Winters
Cosad	Hackett	McCue	Sheide	Yale
Cuvillier	Haines	McDaniels	Shepardson	Yeomans
Dawson	Hart	McElligott	Shlivek	Young
Day	Hammond	McKeon	Shortt	Zorn
Donnelly	Herrick J J			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 584, Int. No. 562) entitled "An act making an appropriation for the National Encampment of the Grand Army of the Republic to be held in the city of Rochester, in the month of August, nineteen hundred and eleven," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B

Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Sheide offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on forestry, fisheries and game be discharged from the further consideration of the Senate bill (No. 9, Rec. No. 76), entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for certain wild fowl on Long Island."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Sheide, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

The bill (No. 2, Int. No. 2) entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for certain wild fowl on Long Island," having been announced for a third reading,

On motion of Mr. Sheide, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 874, Int. No. 793) entitled "An act reapportioning an unexpended balance for the improvement of the canals," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 959, Int. No. 868) entitled "An act making an appropriation for the completion of the statutory record of the special statutes of the State authorized by chapter five hundred and thirteen of the Laws of nineteen hundred and ten," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg

Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1052, Int. No. 948) entitled "An act making an appropriation for the deportation of alien and nonresident lunatics to other countries and States, and for the office expenses of the State Commission in Lunacy," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker

Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 749, Int. No. 687) entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Kennedy	Oliver	Walker
Brown	Fry	Keys	O'Neill J J	Ward
Bryant	Geatons	Kopp	O'Neil M A	Waring
Bush	Gerhardt	Lansing	Parker A	Warren
Butler	Gillen	LaReau	Patrie	Washburn
Carew	Goldberg	Lent	Phillips C W	Waters F A
Caughlan	Goldstein	Levy A J	Phillips J S	Waters R B
Chanler	Goodman	Levy J	Pierce	Weil
Cheney	Goodwin	Lincoln	Saunders	Wende
Coffey	Gould	Macdonald	Schifferdecker	Wheeler
Collin	Graubard	MacGregor	Seeley	White

Colné	Gray	Manley	Shannon	Wilson
Constantine	Gregg	Martin	Shea	Winters
Cosad	Hackett	McCue	Sheide	Yale
Cuvillier	Haines	McDaniels	Shepardson	Yeomans
Dawson	Hart	McElligott	Shlivek	Young
Day	Hammond	McKeon	Shortt	Zorn
Donnelly	Herrick J J			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 637, Int. No. 605) entitled "An act to amend the Agricultural Law, in relation to information to be furnished to persons dealing in products whose manufacture or sale, or keeping of which is regulated or forbidden by the Agricultural Law," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Kennedy	Oliver	Walker
Brown	Fry	Keys	O'Neill J J	Ward
Bryant	Geatons	Kopp	O'Neil M A	Waring
Bush	Gerhardt	Lansing	Parker A	Warren
Butler	Gillen	LaReau	Patrie	Washburn
Carew	Goldberg	Lent	Phillips C W	Waters F A
Caughlan	Goldstein	Levy A J	Phillips J S	Waters R B
Chanler	Goodman	Levy J	Pierce	Weil
Cheney	Goodwin	Lincoln	Saunders	Wende
Coffey	Gould	Macdonald	Schifferdecker	Wheeler
Collin	Graubard	MacGregor	Seeley	White
Colné	Gray	Manley	Shannon	Wilson
Constantine	Gregg	Martin	Shea	Winters
Cosad	Hackett	McCue	Sheide	Yale
Cuvillier	Haines	McDaniels	Shepardson	Yeomans
Dawson	Hart	McElligott	Shlivek	Young
Day	Hammond	McKeon	Shortt	Zorn
Donnelly	Herrick J J			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 948, Int. No. 857) entitled "An act to amend the Highway Law, in relation to the removal of weeds, brush and obstructions from the highways," having been announced,

Debate was had thereon.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 87
NOES 27

Those who voted in the affirmative were:

Adler	Dawson	Gregg	Martin	Schifferdecker
Ahern	Day	Gurnett	McCue	Seeley
Allen	Donnelly	Hackett	McDaniels	Sheide
Blauvelt	Donovan	Herrick J J	McElligott	Shortt
Boylan	Drummond	Hinman	McKeon	Smith A E
Brace	Egan	Hoey	Miller	Smith T K
Brereton	Evans	Hollmann	Monczynski	Spielberg
Bridenbecker	Farrell	Hoyt	Mork	Stivers
Brooks	Fay	Huber	Myers	Sweet
Bush	Fitzpatrick	Jackson	Neupert	Terry
Carew	Friedman	Jameson	O'Connor	Warren
Caughlan	Fry	Kennedy	Oliver	Washburn
Chanler	Geatons	LaReau	O'Neill J J	Waters F A
Collin	Gillen	Levy A J	O'Neil M A	Waters R B
Oolné	Goldberg	Levy J	Parker A	Weil
Constantine	Gould	Macdonald	Patrie	Wende
Cosad	Graubard	Manley	Saunders	Yale
Cuvillier	Gray			

Those who voted in the negative were:

Bryant	Hammond	Lansing	Nolan	Shepardson
Butler	Higgins	Lent	Phillips C W	Waring
Cheney	Hoff	MacGregor	Phillips J S	Wilson
Filley	Jones	Merritt	Pierce	Winters
Goodman	Kopp	Murray	Shannon	Yeomans
Goodwin				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 339, Int. No. 338) entitled "An act to provide for the purchase of additional lands for the armory of the Thirty-

fourth Separate Company of the National Guard of the city of Geneva, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Herrick J J	McKeon	Smith A E
Ahern	Ebbetts	Higgins	Merritt	Smith T K
Allen	Egan	Hinman	Miller	Spielberg
Blauvelt	Evans	Hoey	Monczynski	Stivers
Boylan	Farrell	Hoff	Mork	Sullivan
Brace	Fay	Hollmann	Murray	Talmage
Brennan	Filley	Hoyt	Myers	Terry
Brereton	Fitzpatrick	Huber	Neupert	Trombly
Bridenbecker	Foley	Jackson	Nolan	Turley
Brooks	Friedman	Jameson	O'Connor	Walker
Brown	Fry	Jones	Oliver	Ward
Bryant	Geatons	Kennedy	O'Neill J J	Waring
Bush	Gerhardt	Keys	O'Neil M A	Warren
Butler	Gillen	Kopp	Parker A	Washburn
Carew	Goldberg	Lansing	Patrie	Waters F A
Caughlan	Goldstein	LaReau	Phillips C W	Waters R B
Chanler	Goodman	Lent	Pierce	Weil
Cheney	Goodwin	Levy A J	Saunders	Wende
Coffey	Gould	Levy J	Schifferdecker	Wheeler
Collin	Graubard	Lincoln	Seeley	White
Colné	Gray	Macdonald	Shannon	Wilson
Constantine	Gregg	MacGregor	Shea	Winters
Cosad	Hackett	Manley	Sheide	Yale
Cuvillier	Haines	Martin	Shepardson	Yeomans
Dawson	Hart	McCue	Shlivek	Young
Day	Hammond	McDaniels	Shortt	Zorn
Donnelly	Hearn	McElligott		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 695, Int. No. 659) entitled "An act to grant to the city of Geneva all the interest of the people of the State of New York in certain lands formerly under the waters of Seneca lake, but which have been partially filled in," was read the third time, having been printed and upon the desks of the members in

its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	Donnelly	Herrick J J	Merritt	Smith T K
Ahern	Drummond	Higgins	Miller	Spielberg
Allen	Ebbetts	Hinman	Monczynski	Stivers
Blauvelt	Egan	Hoey	Mork	Sullivan
Boylan	Evans	Hoff	Murray	Talmage
Brace	Farrell	Hollmann	Myers	Terry
Brennan	Fay	Hoyt	Neupert	Trombly
Brereton	Filley	Huber	Nolan	Turley
Bridenbecker	Foley	Jackson	O'Connor	Walker
Brooks	Friedman	Jameson	Oliver	Ward
Brown	Fry	Kennedy	O'Neill J J	Waring
Bryant	Geatons	Kopp	Parker A	Warren
Bush	Gerhardt	Lansing	Patrie	Washburn
Butler	Gillen	LaReau	Phillips C W	Waters F A
Carew	Goldberg	Lent	Phillips J S	Waters R B
Caughlan	Goldstein	Levy A J	Pierce	Weil
Chanler	Goodman	Levy J	Saunders	Wende
Cheney	Gould	Macdonald	Schifferdecker	Wheeler
Coffey	Graubard	MacGregor	Seeley	White
Collin	Gray	Manley	Shannon	Wilson
Colné	Gregg	Martin	Sheide	Winters
Constantien	Hackett	McCue	Shepardson	Yale
Cosad	Haines	McDaniels	Shlivek	Yeomans
Cuvillier	Hart	McElligott	Shortt	Young
Dawson	Hammond	McKeon	Smith A E	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 625, Int. No. 597) entitled "An act to legalize, ratify and confirm the incorporation of the Winfield Athletic Club and its corporate acts and those of its trustees, including amendments to its certificate of incorporation," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monczynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Cosad moved to take from the table his motion to reconsider the vote by which Assembly bill (No. 105, Int. No. 105), entitled "An act to amend the Highway Law, in relation to the courses and descriptions of route six of the State highway system," was lost March 14th.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill having been announced, Mr. Cosad moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative.

AYES 70
NOES 54

Those who voted in the affirmative were:

Blauvelt	Foley	Hoyt	McGrath	Smith A E
Boylan	Friedman	Huber	Miller	Spielberg
Brace	Fry	Jackson	Monczynski	Stivers
Brennan	Goldberg	Jameson	Mork	Terry
Bridenbecker	Goodman	Kennedy	Myers	Trombly
Brooks	Gould	Kopp	O'Connor	Turley
Chanler	Graubard	Lansing	O'Neil M A	Walker
Colné	Gregg	LaReau	Parker A	Warren
Cosad	Gurnett	Levy A J	Patrie	Washburn
Cuvillier	Hackett	Levy J	Saunders	Weil
Day	Haines	Manley	Schifferdecker	Wende
Drummond	Herrick W R	Martin	Seeley	Wheeler
Evans	Hinman	McDaniels	Sheide	White
Fitzpatrick	Hollmann	McElligott	Shortt	Zorn

Those who voted in the negative were:

Adler	Constantine	Hammond	Merritt	Shlivek
Ahern	Dawson	Herrick J J	Murray	Smith T K
Allen	Donnelly	Higgins	Neupert	Talmage
Brereton	Farrell	Hoey	Nolan	Ward
Brown	Fay	Hoff	Oliver	Waring
Bryant	Filley	Jones	O'Neill J J	Waters F A
Bush	Geatons	Lent	Phillips C W	Waters R B
Butler	Gerhardt	Macdonald	Phillips J S	Wilson
Carew	Goodwin	MacGregor	Pierce	Winters
Coffey	Gray	McCue	Shannon	Yeomans
Collin	Hart	McKeon	Shepardson	

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 67
NOES 54

Those who voted in the affirmative were:

Blauvelt	Foley	Huber	Miller	Spielberg
Boylan	Friedman	Jameson	Monczynski	Stivers
Brace	Fry	Kennedy	Mork	Terry
Brennan	Goldberg	Kopp	Myers	Trombly
Bridenbecker	Goodman	Lansing	O'Connor	Turley
Brooks	Gould	LaReau	Parker A	Walker
Chanler	Graubard	Levy A J	Patrie	Warren
Colné	Gregg	Levy J	Saunders	Washburn
Cosad	Gurnett	Manley	Schifferdecker	Weil
Cuvillier	Hackett	Martin	Seeley	Wende
Day	Herrick W R	McDaniels	Sheide	Wheeler
Drummond	Hinman	McElligott	Shortt	White
Evans	Hollmann	McGrath	Smith A E	Zorn
Fitzpatrick	Hoyt			

Those who voted in the negative were:

Adler	Constantine	Herrick J J	Murray	Shlivek
Ahern	Dawson	Higgins	Neupert	Smith T K
Allen	Donnelly	Hoey	Nolan	Sullivan
Brereton	Egan	Hoff	Oliver	Talmage
Brown	Fay	Jones	O'Neill J J	Ward
Bryant	Geatons	Lent	O'Neil M A	Waters F A
Bush	Gerhardt	Macdonald	Phillips C W	Waters R B
Butler	Goodwin	MacGregor	Phillips J S	Wilson
Carew	Gray	McCue	Pierce	Winters
Coffey	Hart	McKeon	Shannon	Yeomans
Collin	Hammond	Merritt	Shepardson	

Mr. Goldberg moved to take from the table his motion to reconsider the vote by which Assembly bill (No. 740, Int. No. 586), entitled "An act to exempt the real estate of charitable infant asylum corporations in the State of New York from certain assessments for public improvements," was lost March 15th.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill having been announced, Mr. Goldberg moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative.

AYES 70
NOES 37

Those who voted in the affirmative were:

Boylan	Farrell	Hoey	McGrath	Seeley
Brennan	Fay	Hollmann	Miller	Sheide
Bridenbecker	Fitzpatrick	Hoyt	Monczynski	Shlivek
Brooks	Foley	Huber	Mork	Smith A E
Carew	Friedman	Jackson	Myers	Sullivan
Collin	Geatons	Jameson	Neupert	Terry
Cosad	Gillen	Kennedy	O'Connor	Trombly
Cuvillier	Goldberg	Kopp	Oliver	Turley
Dawson	Goodman	Levy A J	O'Neill J J	Walker
Day	Graubard	Manley	O'Neil M A	Waters F A
Donovan	Gregg	Martin	Parker A	Waters R B
Drummond	Hackett	McCue	Patrie	Weil
Egan	Herrick J J	McDaniels	Saunders	Wheeler
Evans	Higgins	McElligott	Schifferdecker	Zorn

Those who voted in the negative were:

Adler	Chanler	Hinman	Nolan	Talmage
Ahern	Colné	Lent	Phillips C W	Waring
Brace	Constantine	Macdonald	Pierce	Warren
Brereton	Fry	MacGregor	Shannon	White
Brown	Gerhardt	McKeon	Shepardson	Wilson
Bryant	Goodwin	Merritt	Shortt	Winters
Bush	Gray	Murray	Stivers	Yeomans
Butler	Hammond			

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 77
NOES 36

Those who voted in the affirmative were:

Boylan	Farrell	Hoff	McGrath	Sheide
Brennan	Fay	Hollmann	Miller	Shlivek
Bridenbecker	Fitzpatrick	Hoyt	Monczynski	Smith A E
Brooks	Foley	Huber	Mork	Spielberg
Carew	Friedman	Jackson	Neupert	Sullivan
Caughlan	Geatons	Jameson	O'Connor	Terry
Collin	Gillen	Kennedy	Oliver	Trombly
Cosad	Goldberg	Kopp	O'Neill J J	Turley
Cuvillier	Goodman	LaReau	O'Neil M A	Walker
Dawson	Gould	Levy A J	Parker A	Waters F A
Day	Graubard	Manley	Patrie	Waters R B
Donnelly	Gregg	Martin	Phillips J S	Weil
Donovan	Hackett	McCue	Saunders	Wende
Drummond	Herrick J J	McDaniels	Schifferdecker	Wheeler
Egan	Herrick W R	McElligott	Seeley	Zorn
Evans	Higgins			

Those who voted in the negative were:

Adler	Chanler	Hammond	Murray	Talmage
Ahern	Colné	Hinman	Nolan	Waring
Brace	Constantien	Jones	Pierce	Warren
Brereton	Gerhardt	Lent	Shannon	White
Brown	Goodwin	Macdonald	Shepardson	Wilson
Bryant	Gray	McKeon	Shortt	Winters
Bush	Hart	Merritt	Stivers	Yeomans
Butler				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March* 16, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 800, Int. No. 133), entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally."

JOHN A. DIX.

Said bill having been announced, Mr. Winters moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Adler	Drummond	Higgins	Merritt	Smith A E
Ahern	Ebbetts	Hinman	Miller	Smith T K
Allen	Egan	Hoey	Monozynski	Spielberg
Blauvelt	Evans	Hoff	Mork	Stivers
Boylan	Farrell	Hollmann	Murray	Sullivan
Brace	Fay	Hoyt	Myers	Talmage
Brennan	Filley	Huber	Neupert	Terry
Brereton	Fitzpatrick	Jackson	Nolan	Trombly
Bridenbecker	Foley	Jameson	O'Connor	Turley
Brooks	Friedman	Jones	Oliver	Walker
Brown	Fry	Kennedy	O'Neill J J	Ward
Bryant	Geatons	Keys	O'Neil M A	Waring
Bush	Gerhardt	Kopp	Parker A	Warren
Butler	Gillen	Lansing	Patrie	Washburn
Carew	Goldberg	LaReau	Phillips C W	Waters F A
Caughlan	Goldstein	Lent	Phillips J S	Waters R B
Chanler	Goodman	Levy A J	Pierce	Weil
Cheney	Goodwin	Levy J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	Wheeler
Collin	Graubard	Macdonald	Seeley	White
Colné	Gray	MacGregor	Shannon	Wilson
Constantine	Gregg	Manley	Shea	Winters
Cosad	Hackett	Martin	Sheide	Yale
Cuvillier	Haines	McCue	Shepardson	Yeomans
Dawson	Hart	McDaniels	Shlivek	Young
Day	Hammond	McElligott	Shortt	Zorn
Donnelly	Herrick J J	McKeon		

Mr. Winters moved that said bill be recommitted to the committee on affairs of villages, with instructions to report the same forthwith, amended as follows:

Page 5, line 13, strike out the word "amended" and insert "repealed".

Strike out lines 14, 15, 16 and 17.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Martin, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the bill (No. 769, Int. No. 226), entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Port Jervis.

Also, the bill (No. 639, Int. No. 607), entitled "An act to amend section three hundred and ten of chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter eighty-three of the Laws of eighteen hundred and ninety-eight, relating to the removal of snow and ice from sidewalks on the parks, parkways and park approaches in said city," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

Also, the bill (No. 726, Int. No. 9), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to pleadings," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 432, Int. No. 427), entitled "An act to ratify, confirm and legalize the proceedings of the village of Bloomingdale in the county of Essex in the matter of issuance, sale and award of its bonds in the amount of fifteen thousand dollars for the purpose of supplying said village and its inhabitants with pure and wholesome water, to legalize said bonds and to provide for the payment of the interest and principal thereof," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Assembly bill (No. 84, Senate reprint No. 593, Int. No. 84), entitled "An act to amend the Greater New

York charter, relative to the compensation of commissioners of estimate and appraisal."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 212, Senate reprint No. 591, Int. No. 211), entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages."

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 81, Int. No. 81), entitled "An act authorizing the fire commissioners of the city of New York to allow a pension to Marcella A. Graham, the sister of a former member of such department," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. A. E. Smith, the House adjourned.

WEDNESDAY, MARCH 22, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Charles S. Hager.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March* 21, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (printed No. 24), entitled "An act to legalize, ratify and confirm the proceedings of the town of North Elba in the adoption of the proposition to authorize the securing of site and erecting a town building in the west end of the town and to raise and appropriate the sum of eight thousand dollars for such purpose and to issue bonds

therefor, and to legalize the bonds of such town sold and awarded in pursuance thereof to the amount of eight thousand dollars and to provide for the payment of the same."

Under section 340 of the Town Law ample authority is conferred upon a town to build one town house. There is no general law under which a town can build a second town house. In this case the question was submitted to the voters of the town without any authority of law. It is not a case where proceedings were taken under and by virtue of a statute authorizing certain things to be done, in which case it would be proper to validate and legalize, by legislative act, any technical error, omission or irregularity. The effect of this bill is practically to provide for the building of an additional town house by special act.

A bill identical with this present bill was vetoed last year on the ground that it was inadvisable.

I have examined the memorandum submitted by the introducer of this bill, and the arguments set forth why it should be approved. There are many towns in the State where the distance to the town house or town buildings is as great as in the case presented by this bill.

I therefore disapprove the bill.

JOHN A. DIX.

On motion of Mr. Shea, said message together with said bill was ordered laid upon the table.

Mr. Speaker extended the privileges of the floor to Hon. Frank E. Howe, formerly Speaker of the House of Representatives of the State of Vermont.

Mr. Speaker presented the annual report of the Society of the New York Hospital, which was laid upon the table and ordered printed.

(See Senate Document No. 42.)

Mr. Brooks introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the use of certain kinds of shot guns" (Int. No. 1114), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Farrell introduced a bill entitled "An act to amend the Greater New York charter, in relation to the length of residence of city, borough or county employees" (Int. No. 1115), which was read the first time and referred to the committee on affairs of cities.

Mr. Fry introduced a bill entitled "An act to amend the Election Law, in relation to registration of voters" (Int. No. 1116), which was read the first time and referred to the committee on the judiciary.

Mr. Goodwin introduced a bill entitled "An act to amend the Highway Law, in relation to establishing a new highway route to be constructed and improved by the State and to be known as route number forty-one" (Int. No. 1117), which was read the first time and referred to the committee on internal affairs.

Mr. J. J. Herrick introduced a bill entitled "An act to amend the Penal Law, in relation to arrests by officers and agents of the Bide-a-Wee Home Association of the city of New York" (Int. No. 1118), which was read the first time and referred to the committee on codes.

Mr. Jackson introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to the surrender and cancellation of liquor tax certificates" (Int. No. 1119), which was read the first time and referred to the committee on excise.

Also, "An act authorizing the city of Buffalo to purchase and cause to be installed and maintained in the new waterworks pumping station at the foot of Porter avenue, in said city, steam turbine electric generators and other machinery for generating electricity for the electric lighting of the streets and public buildings in said city, and for any and all other city purposes and to borrow money for such purposes by issuing bonds or otherwise" (Int. No. 1120), which was read the first time and referred to the committee on affairs of cities.

Mr. Macdonald introduced a bill entitled "An act to amend the Highway Law, in relation to the span of bridges that may be improved by State aid" (Int. No. 1121), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the County Law, in relation to the appointment of a dog catcher in towns and villages" (Int. No. 1122), which was read the first time and referred to the committee on internal affairs.

Mr. McCue introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to obstructions in windows" (Int.

No. 1123), which was read the first time and referred to the committee on excise.

Mr. Myers introduced a bill entitled "An act to provide for the payment of certain local assessments against State property in the city of Schenectady, and making an appropriation therefor" (Int. No. 1124), which was read the first time and referred to the committee on ways and means.

Mr. Neupert introduced a bill entitled "An act to amend the Insurance Law, in relation to limitation of risk" (Int. No. 1125), which was read the first time and referred to the committee on insurance.

Mr. Schifferdecker introduced a bill entitled "An act to amend the Greater New York charter, in relation to creating a new district for the municipal court of the borough of Brooklyn and providing for the election of two additional justices therefor" (Int. No. 1126), which was read the first time and referred to the committee on affairs of cities.

Mr. A. E. Smith introduced a bill entitled "An act to amend section seventy-seven of chapter six hundred and fifty-nine of the Laws of nineteen hundred and ten, in reference to the opening and closing hours of the city magistrates' night courts" (Int. No. 1127), which was read the first time and referred to the committee on affairs of cities.

Mr. Spielberg introduced a bill entitled "An act to amend the Penal Law, in relation to the exhibition of moving pictures" (Int. No. 1128), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Public Health Law, in relation to labelling canned goods" (Int. No. 1128), which was read the first time and referred to the committee on public health.

Mr. Talmage introduced a bill entitled "An act to amend the Education Law, in relation to the establishment of agricultural demonstration farms and winter schools in the counties of the State, as extension branches of the New York State College of Agriculture" (Int. No. 1130), which was read the first time and referred to the committee on ways and means.

Mr. Winters introduced a bill entitled "An act to amend the Highway Law, in relation to a new State route to be improved by

the State" (Int. No. 1131), which was read the first time and referred to the committee on internal affairs.

Mr. McDaniels introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing fish in Lake Cayuga" (Int. No. 1132), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. Baumes introduced a bill entitled "An act to amend chapter two hundred and three of the Laws of nineteen hundred and seven, entitled 'An act to revise and amend the charter of the city of Newburg, being chapter five hundred and forty-one of the Laws of eighteen hundred and sixty-five, and the several acts amendatory thereof and supplemental thereto,' in relation to the recorder" (Int. No. 1133), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to provide for reconstructing a building now used as a public toilet and storehouse at Washington's Headquarters in the city of Newburgh, and making an appropriation therefor" (Int. No. 1134), which was read the first time and referred to the committee on ways and means.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to the articles of war and the procedure of military courts" (Int. No. 1135), which was read the first time and referred to the committee on military affairs.

Mr. Graubard introduced a bill entitled "An act to amend the Greater New York charter, in relation to the use of a certain portion of Park avenue for market purposes" (Int. No. 1136), which was read the first time and referred to the committee on affairs of cities.

Mr. Geatons introduced a bill entitled "An act to amend the Penal Law, in relation to the Sabbath" (Int. No. 1137), which was read the first time and referred to the committee on codes.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to aides" (Int. No. 1138), which was read the first time and referred to the committee on military affairs.

Mr. Murray introduced a bill entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section one, article three of the Constitution, in relation to the initiative

and referendum" (Int. No. 1139), which was read the first time and referred to the committee on the judiciary.

Mr. Goldstein introduced a bill entitled "An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and East New York stations in Kings county" (Int. No. 1140), which was read the first time and referred to the committee on railroads.

Mr. Sullivan introduced a bill entitled "An act to amend the Dunkirk city charter, in relation to the eligibility of officers" (Int. No. 1141), which was read the first time and referred to the committee on affairs of cities.

Mr. Gurnett introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing suckers in certain waters of Schuyler and Chemung counties" (Int. No. 1142), which was read the first time and referred to the committee on forestry, fisheries and game.

Also, "An act to amend the Forest, Fish and Game Law, in relation to the open season and manner of taking certain fish in certain lakes in Schuyler county" (Int. No. 1143), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Cuvillier introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to designation of chief magistrate" (Int. No. 1144), which was read the first time and referred to the committee on the judiciary.

Mr. Egan introduced a bill entitled "An act to amend the Railroad Law, in relation to erecting guard-rails on platforms of railway stations in the city of New York" (Int. No. 1145), which was read the first time and referred to the committee on railroads.

Mr. A. E. Smith introduced a bill entitled "An act relating to the Capitol building and a suitable building for the Court of Appeals, and reappropriating balance of appropriations heretofore made for designs, plans and specifications for alterations and extensions to building known as the State house, to render the same suitable for use by the Court of Appeals" (Int. No. 1146), which was read the first time and referred to the committee on ways and means.

Mr. Shea introduced a bill entitled "An act to authorize the Comptroller of the State to hear and determine the application of Charles L. Weeks and Bertha W. Carson for the cancellation of the tax sale of lot number one hundred and forty-one, Paradox tract, Essex county, for unpaid taxes" (Int. No. 1147), which was read the first time and referred to the committee on ways and means.

Also, "An act to authorize the Comptroller of the State to hear and determine the application of Charles Dougherty for the redemption from the tax sale made by the Comptroller in nineteen hundred of lot number one hundred and thirteen of township number twenty-six, Totten and Crossfield's purchase, Essex county" (Int. No. 1148), which was read the first time and referred to the committee on ways and means.

Mr. Egan introduced a bill entitled "An act requiring the New York Elevated Railroad Company to extend its line along a certain route" (Int. No. 1149), which was read the first time and referred to the committee on railroads.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Stivers (No. 1212, Int. No. 1047), entitled "An act to amend chapter five hundred and seventy-two of the Laws of nineteen hundred and two, entitled 'An act to revise and amend an act to incorporate the city of Middletown and the acts amendatory thereof,' generally."

Also, Assembly bill introduced by Mr. Fry (No. 1063, Int. No. 957), entitled "An act to amend chapter two hundred and ninety-eight of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to the distribution of advertising matter in the city of New York,' in relation to such city as now constituted."

Also, Assembly bill introduced by Mr. Bush (No. 864, Int. No. 783), entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to duties of assessors."

Also, Assembly bill introduced by Mr. Egan (No. 602, Int. No. 581), entitled "An act providing that the police commissioner of the city of New York, in his discretion, may reappoint Thomas G. Mellon, an ex-policeman of the city of New York, who resigned

from said police department August twenty-first, eighteen hundred and ninety-five."

Also, Assembly bill introduced by Mr. Boylan (No. 919, Int. No. 828), entitled "An act to authorize the police commissioner of the city of New York to allow a pension, from the New York police department relief fund, to Kate Mallon, the sister of Francis Mallon, a former member of such department."

Also, Assembly bill introduced by Mr. Hackett (No. 892, Int. No. 802), entitled "An act to amend the Greater New York charter, relative to proceedings taken by commissioner of docks," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Foley (No. 716, Int. No. 187), entitled "An act to amend the Greater New York charter, relative to the number of deputies in the department of docks and ferries," retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill (No. 987, Int. No. 887) introduced by Mr. Geatons, entitled "An act to amend chapter twenty-nine of the Laws of nineteen hundred and nine, entitled 'An act relating to municipal corporations, constituting chapter twenty-four of the Consolidated Laws,' in relation to exempt volunteer firemen," reported in favor of the passage of the same, with the following amendment:

Page 2, line 8, after the word "months", insert in italics the word "annually".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Donnelly (No. 225, Int. No. 223), entitled "An act to amend section two hundred and forty-two of the Greater New York charter, with respect to the

powers of the board of estimate and apportionment," reported the same with the following amendment:

Strike out the italicized matter on pages 5 and 6 and insert in italics in place thereof the following: " The board of estimate and apportionment shall have also (4) power to grant its consent to any individual, joint-stock association or corporation engaged in any lawful business, who or which is the owner or lessee of real property, to construct and use for its or their private use, any pipes, conduits and tunnels under railroad tracks (except in the borough of Manhattan) upon, and connecting bridges over any of the streets, avenues, highways, driveways, tunnels, waterways, docks, bulkheads, wharves, piers, or waters within or belonging to the city. Such consent shall continue only during the pleasure of the board of estimate and apportionment, and shall be revocable at any time, but no such consent shall be granted for a longer period than ten years, at the expiration of which period such consent shall cease and determine, unless upon a new application being made prior to such expiration, a further extension of such revocable consent shall have been made for a period of not exceeding ten years. The form of all such consents shall be by resolution of the board of estimate and apportionment, and shall not be operative until the same be in writing approved by the mayor separately from and after action of the board of estimate and apportionment. All such consents may contain such terms and conditions as the board of estimate and apportionment may prescribe and shall provide for adequate compensation to be paid annually to the city during the continuance of the consent. Provided no revocable consent granted under subdivision four of this section shall authorize any individual, joint-stock association or corporation to carry on a business of a public service character."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Foley, from the committee on affairs of cities, to which was referred Senate bill introduced by Mr. Cronin (No. 612, Rec. No. 66), entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of the claims of Arthur C. Quinn, Thomas Kenny and John Kearney, for services rendered to the county of Kings, in the discretion of such board."

Also, Senate bill introduced by Mr. Ramsperger (No. 487, Rec. No. 42), entitled "An act to amend chapter two hundred and

forty of the Laws of nineteen hundred and three, entitled 'An act to authorize the city of Buffalo to acquire lands, by purchase or otherwise, for the construction, maintenance, control and operation of a system of waterworks, and to issue its bonds to carry out such purpose,' generally.

Also, Senate bill introduced by Mr. Stilwell (No. 594, Rec. No. 61), entitled "An act to revive an act inadvertently repealed by chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,'" reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Washburn (No. 911, Int. No. 822), entitled "An act to amend the County Law, in relation to official publications in Ulster county."

Also, Assembly bill introduced by Mr. Bridenbecker (No. 1077, Int. No. 968), entitled "An act to repeal chapter four hundred and thirty-two of the Laws of eighteen hundred and sixty-eight, entitled 'An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county."

Also, Assembly bill introduced by Mr. Merritt (No. 1067, Int. No. 961), entitled "An act to amend the Highway Law, in relation to the description of route thirty-two to be constructed or improved by the State."

Also, Assembly bill introduced by Mr. Stivers (No. 821, Int. No. 799), entitled "An act to amend chapter two hundred and thirteen of the Laws of ninteen hundred and four, entitled 'An act to make the office of county clerk of Orange county a salaried office and regulating the management of said office and fixing the salary of said clerk and his assistants,' in relation to payments by said clerk into the treasury of said county of moneys received by him, less his disbursements."

Also, Assembly bill introduced by Mr. Stivers (No. 820, Int. No. 748), entitled "An act to amend chapter eighty-three of the Laws of nineteen hundred and one, entitled 'An act to provide for the improvement of the public highways in the county of Orange,' in relation to the rate of interest on the bonds to be issued under such act."

Also, Assembly bill introduced by Mr. Mork (No. 763, Int. No. 701), entitled "An act to erect the county of Bronx from the territory now comprised within the limits of the borough of the Bronx in the city of New York, as constituted by chapter three hundred and seventy-eight of the Laws of eighteen hundred and ninety-seven and all acts amendatory thereof and supplemental thereto," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill (No. 393, Int. No. 384) introduced by Mr. Cheney, entitled "An act to amend the County Law, in relation to the appointment of a journal clerk and necessary assistant clerks by a board of supervisors," reported in favor of the passage of the same, with the following amendments:

Page 2, line 8, after the first word "clerk" insert in italics the words "and may in their discretion appoint".

Page 2, line 9, after "clerks" insert in italics the following: "; all such clerks and assistant clerks".

Page 2, line 10, after "and" insert in italics the words "the board".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Wende, from the committee on labor and industries, to which was referred Assembly bill introduced by Mr. Sullivan (No. 937, Int. No. 846), entitled "An act to amend the Labor Law, in relation to the materials and labor used in and upon public work."

Also, Assembly bill introduced by Mr. Geatons (No. 1194, Int. No. 1029), entitled "An act to amend the Labor Law, in relation to bakeries."

Also, Assembly bill introduced by Mr. Kopp (No. 992, Int. No. 893), entitled "An act to amend the Labor Law, in relation to the lighting of factories."

Also, Assembly bill introduced by Mr. Jackson (No. 1034, Int. No. 930), entitled "An act to amend the Labor Law, relating to definitions," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Patrie, from the committee on public education, to which was referred Assembly bill introduced by Mr. C. W. Phillips (No. 858, Int. No. 777), entitled "An act to amend chapter nine of the Laws of eighteen hundred and eighty-four, entitled 'An act to incorporate the Reynolds Library in the city of Rochester,' in relation to times for holding regular meetings of the trustees of said library."

Also, Assembly bill introduced by Mr. Hollmann (No. 316, Int. No. 315), entitled "An act to repeal certain sections of the Education Law, relating to the division of union free school districts."

Also, Assembly bill introduced by Mr. Sheide (No. 622, Int. No. 594), entitled "An act to make legal, ratify and confirm the organization, acts and proceedings of union free school district number two of the town of Brookhaven, county of Suffolk, its board of education, officers and agents, in the matter of the issuance and sale of the bonds of said district, dated September first, nineteen hundred and ten, issued partly for the construction of a new schoolhouse in said district and partly for the purchase of a site therefor, to validate said bonds and provide for the raising of funds for their payment by taxation in said district."

Also, Assembly bill introduced by Mr. Cheney (No. 638, Int. No. 606), entitled "An act to authorize school district number four of the town of Ashford, Cattaraugus county, to acquire for school purposes certain lands therein heretofore used for cemetery purposes," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Patrie, from the committee on public education, to which was recommitted Assembly bill introduced by Mr. Patrie (No. 1173, Int. No. 377), entitled "An act to amend the Education Law, relative to the New York State teachers' retirement fund for public school teachers," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 2, line 18, strike out after "cities" to period on line 20 and insert after said word "cities" "and union free school districts having a population of five thousand or more."

Page 3, line 6, strike out the word "voluntary" and begin the word "appropriations" with a capital letter.

Page 12, line 5, after the period insert the following: "Thereupon the said local organization or society of a county, city or district shall be dissolved and discontinued and the treasurer or other custodian of the funds of such organization or society shall pay into the State treasury any funds in his possession belonging to the said organization or society, after paying any outstanding obligations other than annuities. Such funds shall be credited to the retirement fund provided for herein. All persons who had been placed upon the retired list pursuant to the provisions of such local organization or society, previous to the date when such local organization or society determined to come under the provisions of this act, shall become annuitants under this act and shall be entitled to receive the same amount which they would have been entitled to receive under the provisions of their retirement under said local organization or society had such local organization or society not been dissolved and discontinued."

which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Haines (No. 1182, Int. No. 109), entitled "An act to amend the Tax Law, in relation to the time in which an application for a refund of tax may be made."

Also, the bill introduced by Mr. Fry (No. 496, Int. No. 485), entitled "An act to release to Alfredo Barili all of the right, title and interest of the people of the State of New York in and to certain real estate situated in the city of Yonkers, county of Westchester, and State of New York, acquired by escheat or otherwise, upon the death of Carlo Scola, and Carlo Scola, his son."

Also, the bill introduced by Mr. Mork (No. 901, Int. No. 811), entitled "An act to amend the Code of Civil Procedure, in relation to the sale of real property pursuant to a judgment."

Also, the bill introduced by Mr. Foley (No. 1111, Int. No. 164), entitled "An act to amend article four of the Labor Law, entitled 'An act relating to labor, constituting chapter thirty-one of the Consolidated Laws,' in relation to medical reports to the Bureau of Labor Statistics."

Also, the bill introduced by Mr. Herrick (No. 1179, Int. No. 711), entitled "An act to amend the Insurance Law, in relation to the powers of title guaranty corporations."

Also, the bill introduced by Mr. McElligott (No. 1183, Int. No. 490), entitled "An act to amend the Code of Civil Procedure, in relation to motions for new trials."

Also, the bill introduced by Mr. Spielberg (No. 1185, Int. No. 740), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to bail in magistrates' courts in said city," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Foley (No. 1110, Int. No. 944), entitled "An act to amend the Greater New York charter, in relation to the issue of corporate stock," reported the same with the following recommendations:

On page 6, line 25, change " of " to " or ".
On page 7, line 2, italicize " and one hundred and eighty-one ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Martin (No. 1170, Int. No. 43), entitled "An act to amend the State Boards and Commissions Law, relative to notice, plans, specifications and map," reported the same with the following recommendations:

On page 3, line 2, strike out period and the brackets and insert comma. Also in same line change cap " S " in " such " to lower case.
On page 4, line 3, change " and " from italic to roman.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Adler (No. 1180, Int. No. 882), entitled "An act to amend the Penal Law, in relation to guide signs lawfully erected upon highways," reported the same with the following recommendation:

On page 2, line 20, insert " who " after " or ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Lansing (No. 462, Int. No. 453), entitled "An act to amend chapter two hundred and sixty-nine of the Laws of eighteen hundred and seventy-two, entitled 'An act authorizing the construction of a bridge across the Hudson river at the city of Albany, and incorporating the "Albany and Greenbush Bridge Company,"' in relation to rates of toll to be charged by said company or its successors, including the Albany Southern Railroad Company, and the sale of tickets," reported the same with the following recommendation:

On page 3, line 9, change " corporation " from italics to roman.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Public Officers Law, in relation to holidays and the hours of employees of the State and the various civil subdivisions thereof, and the compensation therefor." (No. 1253, Int. No. 683.)

"An act to amend the Military Law, in relation to the Naval Militia." (No. 1254, Int. No. 921.)

"An act to amend the Poor Law, in relation to the burial of soldiers, sailors or marines and to marking their graves with headstones." (No. 1255, Int. No. 298.)

"An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and forty-six, entitled 'An act to authorize the New York and New Haven Railroad Company to extend their railroad from the Connecticut line to the New York and Harlem railroad,' in regard to rates of fare and otherwise." (No. 1256, Int. No. 702.)

"An act to amend the Tax Law, in relation to the time in which an application for a refund of tax may be made." (No. 1182, Int. No. 109.)

"An act to release to Alfredo Barili all of the right, title and interest of the people of the State of New York in and to certain real estate situated in the city of Yonkers, county of Westchester, and State of New York, acquired by escheat or otherwise upon

the death of Carlo Scola, and Carlo Scola, his son." (No. 496, Int. No. 485.)

"An act to amend the Code of Civil Procedure, in relation to the sale of real property pursuant to a judgment." (No. 901, Int. No. 811.)

"An act to amend the Code of Civil Procedure, in relation to motions for new trials." (No. 1183, Int. No. 490.)

"An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to bail in magistrates' courts in said city." (No. 1185, Int. No. 740.)

Mr. A. J. Levy offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on forestries, fisheries and game be discharged from the further consideration of the bill (No. 359, Int. No. 352), entitled "An act to amend the Forest, Fish and Game Law, in relation to the protection of wild birds."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. A. J. Levy moved to amend as follows:

Page 2, line 14, strike out the word "section" and insert in lieu thereof the word "chapter".

Page 3, lines 3 and 4, strike out all said lines after the words "feathers of" in line 3 and insert in italics in lieu thereof the following: "domestic fowl, domestic pigeons or foreign birds of prey, birds of paradise, ostriches, or to the plumes of any other foreign birds; which are not similar in character and appearance to plumes yielded in the State of New York by birds native of this State and protected by this chapter".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. A. J. Levy, said bill was ordered reprinted and recommitted to said committee.

Mr. A. J. Levy offered for the consideration of the House a resolution in the words following:

Resolved, That the committee on codes be discharged from the further consideration of the bill (No. 898, Int. No. 808), entitled "An act to amend the Code of Criminal Procedure, in relation to

appointment of probation officers for the court of general sessions in the city and county of New York."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. A. J. Levy moved to amend as follows:

On page 1, line 9, after the word "eight" and before the word "probation" insert the word "male" in italics.

On page 2, strike out all of line 1 following the word "the", second occurring on said line; also strike out all of line 2 on said page up to and including the word "Paul" and substitute instead the following: "Catholic Protective Society of the Archdiocese of New York."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. A. J. Levy, said bill was ordered reprinted and recommitted to said committee.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Day	Hammond	McGrath	Smith A E
Ahern	DeLano	Herrick J J	McKeon	Smith T K
Allen	Donnelly	Herrick W R	Merritt	Spielberg
Baumes	Donovan	Heyman	Miller	Stivers
Beach	Drummond	Higgins	Moncsynski	Sullivan
Blauvelt	Ebbetts	Hinman	Mork	Sweet
Boylan	Egan	Hoey	Murray	Talmage
Brace	Evans	Hoff	Myers	Terry
Brennan	Farrell	Hollmann	Neupert	Trombly
Brereton	Fay	Hoyt	Nolan	Tuley
Bridenbecker	Filley	Huber	O'Connor	Walker
Brooks	Fitzpatrick	Jackson	Oliver	Ward
Brown	Foley	Jameson	O'Neill J J	Waring
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Washburn
Butler	Geatons	Kopp	Parker A	Waters F A
Carew	Gerhardt	Lansing	Patrie	Waters R B
Caughlan	Gerken	LaReau	Phillips C W	Weil
Chanler	Gillen	Lent	Phillips J S	Wende
Cheney	Goldberg	Levy A J	Pierce	Wheeler
Coffey	Goodwin	Levy J	Saunders	White
Collin	Gould	Macdonald	Schifferdecker	Wilson
Colné	Graubard	MacGregor	Seeley	Winters
Connell	Gray	Manley	Shannon	Yale
Constantine	Gregg	Martin	Shea	Yeomans
Cosad	Gurnett	McCue	Sheide	Young
Cuvillier	Hackett	McDaniels	Shepardson	Zorn
Dawson	Hart	McElligott	Shortt	Speaker

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Fiero	Harden	Murtaugh	Sanner	
Black	Frawley	Harte	O'Brien	Stilwell	
Cronin	Gittins	Long	Pollock	Sullivan C D	
Cullen	Griffin	McClelland	Ramsperger	Wagner	
Ferris					21

FOR CHAUNCEY M. DEPEW.

Allen	Emerson	Hinman	Rose	Travis	
Argetsinger	Hamilton	Ormrod	Sage	Wainwright	
Bussey	Heacock	Platt	Thomas	Walters	
Cobb	Hewitt				17

FOR MARTIN W. LITTLETON.

Burd	Roosevelt	2

FOR M. J. O'BRIEN.

Loomis	Saxe	2

FOR WILLIAM SULZER.

White	1

FOR J. J. HOPPER.

Duhamel	1

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Farrell	Gurnett	McCue	Schifferdecker
Boylan	Fay	Hackett	McElligott	Seeley
Brennan	Fitzpatrick	Herrick J J	McGrath	Sheide
Bush	Foley	Herrick W R	McKeon	Smith A E
Carew	Frisbie	Heyman	Monczynski	Spielberg

Caughlan	Geatons	Hoey	Mork	Turley	
Collin	Gerhardt	Jackson	Neupert	Walker	
Cuvillier	Gerken	Jameson	Oliver	Warren	
Dawson	Gillen	LaReau	O'Neill J J	Washburn	
Donnelly	Gould	Levy A J	O'Neil M A	Weil	
Donovan	Graubard	Levy J	Parker A	Wende	
Egan	Gregg	Manley	Patrie	Zorn	60

FOR CHAUNCEY M. DEPEW.

Adler	Connell	Hinman	Pappert	Talmage	
Ahern	Constantine	Hoff	Phillips C W	Ward	
Allen	DeLano	Jones	Phillips J S	Waring	
Baumes	Ebbetts	Kopp	Pierce	Waters F A	
Brereton	Filley	Lansing	Shannon	Waters R B	
Brooks	Goodman	Lent	Shea	White	
Brown	Goodwin	Macdonald	Shepardson	Wilson	
Bryant	Gray	MacGregor	Smith T K	Winters	
Butler	Haines	Merritt	Stivers	Yale	
Cheney	Hammond	Murray	Sullivan	Yeomans	
Coffey	Hart	Nolan	Sweet	Young	
Colné	Higgins				57

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN H. GLYNN.

Saunders 1

FOR M. J. O'BRIEN.

Chanler Shortt 2

FOR MARTIN W. LITTLETON.

Brace	Hollmann	Huber	Terry	Trombly	
Friedman	Hoyt	Kennedy			8

FOR JOHN D. KERNAN.

Beach	Cosad	Evans	Miller	Wheeler	
Bridenbecker	Drummond	Martin	Myers		9

FOR JOHN N. CARLISLE.

Day 1

FOR J. J. HOPPER.

O'Connor 1

FOR D. A. BOODY.

Fry 1

Whole number of votes cast..... 185

Necessary to a choice..... 93

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	21	60	81
For Chauncey M. Depew.....	17	57	74
For Alton B. Parker.....	0	1	1

	Senators.	Assemblymen.	Total.
For Martin W. Littleton.....	2	8	10
For Martin H. Glynn.....	0	1	1
For John D. Kernan.....	0	9	9
For Morgan J. O'Brien.....	2	2	4
For William Sulzer	1	0	1
For John N. Carlisle.....	0	1	1
For John J. Hopper.....	1	1	2
For D. A. Boody.....	0	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Wagner, the joint assembly took a recess until Thursday, March 23d, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Thursday, March 23d, at 12 o'clock noon in the Assembly Chamber.

Mr. Speaker announced the special order, being the Senate bill (No. 9, Rec. No. 76), entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for certain wild fowl on Long Island."

Debate was had thereon.

On motion of Mr. Sheide, said bill was read the second time and ordered to a third reading.

On motion of Mr. Sheide, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 66
NOES 73

Those who voted in the affirmative were:

Boylan	Foley	Herrick W R	McGrath	Seeley
Brennan	Friedman	Heyman	McKeon	Sheide
Bush	Geatons	Hoey	Miller	Smith A E
Carew	Gerhardt	Hollmann	Monczynski	Spielberg
Caughlan	Gerken	Huber	Mork	Sullivan
Cosad	Gillen	Jackson	Nolan	Talmage
Cuvillier	Goldberg	Jameson	O'Connor	Trombly
Dawson	Goldstein	Kennedy	Oliver	Turley
Donnelly	Graubard	LaReau	O'Neill J J	Walker
Donovan	Gregg	Levy A J	O'Neil M A	Warren
Egan	Gurnett	Levy J	Parker A	Washburn
Farrell	Hackett	McCue	Pierce	Weil
Fay	Herrick J J	McElligott	Schifferdecker	Zorn
Fitzpatrick				

Those who voted in the negative were:

Adler	Collin	Hart	Merritt	Stivers
Ahern	Colné	Hammond	Murray	Sweet
Allen	Connell	Higgins	Myers	Terry
Baumes	Constantine	Hinman	Neupert	Ward
Beach	Day	Hoff	Pappert	Waring
Brace	DeLano	Hoyt	Patrie	Waters F A
Brereton	Drummond	Jones	Phillips C W	Waters R B
Bridenbecker	Ebbetts	Kopp	Phillips J S	Wheeler
Brooks	Evans	Lansing	Saunders	White
Brown	Filley	Lent	Shannon	Wilson
Bryant	Fry	Macdonald	Shea	Winters
Butler	Goodman	MacGregor	Shepardson	Yale
Chanler	Gould	Manley	Shortt	Yeomans
Cheney	Gray	Martin	Smith T K	Young
Coffey	Haines	McDaniels		

Mr. Sheide moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 441, Int. No. 432) entitled "An act to amend the General Business Law, in relation to rate of interest to be demanded or received by a pawnbroker," was read the second time.

On motion of Mr. Brooks, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 825, Int. No. 753) entitled "An act to amend chapter sixty-two of the Laws of nineteen hundred and nine, entitled 'An act in relation to taxation, constituting chapter sixty of the Consolidated Laws,' in relation to bank taxes," was read the second time.

On motion of Mr. Neupert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 967, Int. No. 876) entitled "An act to amend chapter two hundred and fifty-eight of the Laws of nineteen hundred and seven, entitled 'An act to provide for a police pension fund for the police force of the city of Watertown,' in relation to the composition of such fund," having been announced for a third reading,

On motion of Mr. Jones, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 526, Int. No. 511) entitled "An act to legalize and confirm the official acts of notaries public and commissioners of deeds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McGrath	Smith A E
Ahern	DeLano	Herrick J J	McKeon	Smith T K
Allen	Donnelly	Herrick W R	Merritt	Spielberg
Baumes	Donovan	Heyman	Miller	Stivers
Beach	Drummond	Higgins	Monczynski	Sullivan
Blauvelt	Ebbetts	Hinman	Mork	Sweet
Boylan	Egan	Hoey	Murray	Talmage
Brace	Evans	Hoff	Myers	Terry
Brennan	Farrell	Hollmann	Neupert	Trombly
Brereton	Fay	Hoyt	Nolan	Turley
Bridenbecker	Filley	Huber	O'Connor	Walker
Brooks	Fitzpatrick	Jackson	Oliver	Ward
Brown	Foley	Jameson	O'Neill J J	Waring
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Washburn
Butler	Geatons	Kopp	Parker A	Waters F A
Carew	Gerhardt	Lansing	Patrie	Waters R B
Caughlan	Gerken	LaReau	Phillips C W	Weil
Chanler	Gillen	Lent	Phillips J S	Wende
Cheney	Goldberg	Levy A J	Pierce	Wheeler
Coffey	Goodwin	Levy J	Saunders	White
Collin	Gould	Macdonald	Schifferdecker	Wilson
Colné	Graubard	MacGregor	Seeley	Winters

Connell	Gray	Manley	Shannon	Yale
Constantine	Gregg	Martin	Shea	Yeomans
Cosad	Gurnett	McCue	Sheide	Young
Cuvillier	Hackett	McDaniels	Shepardson	Zorn
Dawson	Hart	McElligott	Shortt	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 157, Int. No. 156) entitled "An act to amend the Railroad Law, in relation to the construction of street surface railroads upon grounds occupied by public buildings or in public parks," having been announced for a third reading,

On motion of Mr. Caughlan, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1054, Int. No. 950) entitled "An act to amend the Public Service Commissions Law, in relation to free or reduced transportation by common carriers," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McGrath	Smith A E
Ahern	DeLano	Herrick J J	McKeon	Smith T K
Allen	Donnelly	Herrick W R	Merritt	Spielberg
Baumes	Donovan	Heyman	Miller	Stivers
Beach	Drummond	Higgins	Monczynski	Sullivan
Blauvelt	Ebbetts	Hinman	Mork	Sweet
Boylan	Egan	Hoey	Murray	Talmage
Brace	Evans	Hoff	Myers	Terry
Brennan	Farrell	Hollmann	Neupert	Trombly
Brereton	Fay	Hoyt	Nolan	Turley
Bridenbecker	Filley	Huber	O'Connor	Walker
Brooks	Fitzpatrick	Jackson	Oliver	Ward
Brown	Foley	Jameson	O'Neill J J	Waring
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Washburn
Butler	Geatons	Kopp	Parker A	Waters F A
Carew	Gerhardt	Lansing	Patrie	Waters R B
Caughlan	Gerken	LaReau	Phillips C W	Weil
Chanler	Gillen	Lent	Phillips J S	Wende

Cheney	Goldberg	Levy A J	Pierce	Wheeler
Coffey	Goodwin	Levy J	Saunders	White
Collin	Gould	Macdonald	Schifferdecker	Wilson
Colné	Graubard	MacGregor	Seeley	Winters
Connell	Gray	Manley	Shannon	Yale
Constantine	Gregg	Martin	Shea	Yeomans
Cosad	Gurnett	McCue	Sheide	Young
Cuvillier	Hackett	McDaniels	Shepardson	Zorn
Dawson	Hart	McElligott	Shortt	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 616, Int. No. 588) entitled "An act to amend the Code of Civil Procedure, in relation to exemptions and executions," having been announced for a third reading,

On motion of Mr. Hearn, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 169, Int. No. 168) entitled "An act to amend the Public Service Commissions Law, in relation to transportation of passengers at reduced rates, in certain cases," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McGrath	Smith A E
Ahern	DeLano	Herrick J J	McKeon	Smith T K
Allen	Donnelly	Herrick W R	Merritt	Spielberg
Baumes	Donovan	Heyman	Miller	Stivers
Beach	Drummond	Higgins	Monczynski	Sullivan
Blauvelt	Ebbetts	Hinman	Mork	Sweet
Boylan	Egan	Hoey	Murray	Talmage
Brace	Evans	Hoff	Myers	Terry
Brennan	Farrell	Hollmann	Neupert	Trombly
Brereton	Fay	Hoyt	Nolan	Turley
Bridenbecker	Filley	Huber	O'Connor	Walker
Brooks	Fitzpatrick	Jackson	Oliver	Ward
Brown	Foley	Jameson	O'Neill J J	Waring
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Washburn
Butler	Geatons	Kopp	Parker A	Waters F A
Carew	Gerhardt	Lansing	Patrie	Waters R B

Caughlan	Gerken	LaReau	Phillips C W	Weil
Chanler	Gillen	Lent	Phillips J S	Wende
Cheney	Goldberg	Levy A J	Pierce	Wheeler
Coffey	Goodwin	Levy J	Saunders	White
Collin	Gould	Macdonald	Schifferdecker	Wilson
Colné	Graubard	MacGregor	Seeley	Winters
Connell	Gray	Manley	Shannon	Yale
Constantine	Gregg	Martin	Shea	Yeomans
Cosad	Gurnett	McCue	Sheide	Young
Cuvillier	Hackett	McDaniels	Shepardson	Zorn
Dawson	Hart	McElligott	Shortt	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 900, Int. No. 810) entitled "An act to amend the Code of Civil Procedure, in relation to judgment upon appeal from a justice's court," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139
NOES 00

Those who voted in the affirmative were:

Adler	Day	Hammond	McGrath	Smith A E
Ahern	DeLano	Herrick J J	McKeon	Smith T K
Allen	Donnelly	Herrick W R	Merritt	Spielberg
Baumes	Donovan	Heyman	Miller	Stivers
Beach	Drummond	Higgins	Monczynski	Sullivan
Blauvelt	Ebbetts	Hinman	Mork	Sweet
Boylan	Egan	Hoey	Murray	Talmage
Brace	Evans	Hoff	Myers	Terry
Brennan	Farrell	Hollmann	Neupert	Trombly
Brereton	Fay	Hoyt	Nolan	Turley
Bridenbecker	Filley	Huber	O'Connor	Walker
Brooks	Fitzpatrick	Jackson	Oliver	Ward
Brown	Foley	Jameson	O'Neill J J	Waring
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Washburn
Butler	Geatons	Kopp	Parker A	Waters F A
Carew	Gerhardt	Lansing	Patrie	Waters R B
Caughlan	Gerken	LaReau	Phillips C W	Weil
Chanler	Gillen	Lent	Phillips J S	Wende
Cheney	Goldberg	Levy A J	Pierce	Wheeler
Coffey	Goodwin	Levy J	Saunders	White
Collin	Gould	Macdonald	Schifferdecker	Wilson
Colné	Graubard	MacGregor	Seeley	Winters
Connell	Gray	Manley	Shannon	Yale
Constantine	Gregg	Martin	Shea	Yeomans
Cosad	Gurnett	McCue	Sheide	Young
Cuvillier	Hackett	McDaniels	Shepardson	Zorn
Dawson	Hart	McElligott	Shortt	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Sullivan offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 113, Int. No. 112), entitled "An act to validate certain bonds of the city of Jamestown," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Goodwin offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 212, Senate Reprint No. 591, Int. No. 211) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, *March* 22, 1911.

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 227, Rec. No. 20), entitled "An act to amend chapter thirty-five of the Laws of nineteen hundred and ten, entitled 'An act permitting the board of supervisors of Rensselaer county to create a commission to erect and furnish a new jail, workhouse and quarters for the sheriff of the county of Rensselaer, within the city of Troy, for the use of said county, to acquire the necessary land therefor, and to provide means to defray the expenses thereof,'" for the purpose of amendment.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, *March* 22, 1911.

Resolved (if the Assembly concur), That a respectful message be sent to the mayor of the city of Buffalo, requesting the return of Senate bill (No. 44, Rec. No. 44), entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' with regard to the election and qualification of judges of said court," for the purpose of amendment.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 113, Int. No. 112), entitled "An act to validate certain bonds of the city of Jamestown," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 212, Int. No. 211, Senate Reprint No. 591), entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. A. E. Smith, the House adjourned until Thursday, March 23d, at 10 o'clock A. M.

THURSDAY, MARCH 23, 1911.

The House met pursuant to adjournment.

Prayer by Rev. James S. Kittell.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to authorize the board of assessors of the city of New York to estimate, determine and allow damages sustained by property of Amy Ellis, in the borough of Brooklyn, city of New York, by reason of the opening and grading of Jerome street, and to provide for the payment by the city of any award thereunder" (No. 448, Rec. No. 91), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter four hundred and thirty-eight of the Laws of eighteen hundred and ninety-seven, as amended by chapter seventy-seven of the Laws of nineteen hundred and seven, and chapter one hundred and ninety-eight of the Laws of nineteen hundred and nine, entitled 'An act regulating the appointment of assistant district attorneys for the county of Kings'" (No. 571, Rec. No. 92), which was read the first time and referred to the committee on internal affairs.

"An act to provide for the acquisition and preservation of the historic house and grounds formerly owned and occupied by General Nicholas Herkimer, in the town of Danube, in the county of Herkimer, and making an appropriation therefor" (No. 738, Rec. No. 93), which was read the first time and referred to the committee on ways and means.

"An act making an appropriation for highway improvement, in expediting the building of parts of State routes twenty-two and twenty-five" (No. 842, Rec. No. 94), which was read the first time and referred to the committee on ways and means.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of the Senate bill (No. 842, Rec. No. 94), entitled "An act making an appropriation for highway improvement, in expediting the building of parts of State routes twenty-two and twenty-five."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. A. E. Smith moved to amend as follows:

Page 2, line 10, after the word "twenty-two" and before the word "north" insert the words "as defined by said section of the Highway Law" in italics.

On page 2, line 13, after the words "Rouses Point" and before the word "no" insert the following: "but in case the appropriation hereby made shall be insufficient to complete said system of stone road as contemplated, then the Highway Commission shall expend the same in constructing and improving such portions of said road as in its judgment are in the most need of construction and improvement."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. A. E. Smith, said bill was ordered reprinted and recommitted to said committee.

Mr. Brown introduced a bill entitled "An act to amend the Agricultural Law, in relation to payments by counties of expenses incurred in enforcing orders of the Agricultural Department" (Int. No. 1150), which was read the first time and referred to the committee on agriculture.

Mr. Donovan introduced a bill entitled "An act to amend the Tax Law, in relation to lien of transfer tax" (Int. No. 1151), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Evans introduced a bill entitled "An act to amend the Public Health Law, in relation to providing that physicians shall make complete statements of procedure and precautions on a blank to be furnished by the health officer" (Int. No. 1152), which was read the first time and referred to the committee on public health.

Mr. Gurnett introduced a bill entitled "An act to amend the Highway Law, in relation to the description of route number sixteen of the State highway system" (Int. No. 1153), which was read the first time and referred to the committee on internal affairs.

Mr. Hoey introduced a bill entitled "An act to amend the Insurance Law, in relation to the payment of the premiums on in-

dustrial insurance policies" (Int. No. 1154), which was read the first time and referred to the committee on insurance.

Mr. McElligott introduced a bill entitled "An act to amend the Greater New York charter, in relation to the jurisdiction of the department of street cleaning as to the removal or disposal of ashes from the docks of Blackwell's and Randall's islands" (Int. No. 1155), which was read the first time and referred to the committee on affairs of cities.

Mr. McGrath introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to hearing before removal of certain court officers" (Int. No. 1156), which was read the first time and referred to the committee on codes.

Mr. Shortt introduced a bill entitled "An act to amend the Greater New York charter, by providing for a difference in the rate of taxation on the value of land wholly unimproved, and the rate on the difference between the value of the land with its improvements and the value of the land wholly unimproved" (Int. No. 1157), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, by providing a separate statement of the difference in the value of land with its improvements and the value of land wholly unimproved in assessments of real estate" (Int. No. 1158), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to organization, administration, authorities, duties and powers of the department of health" (Int. No. 1159), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to inspection of tenement-houses" (Int. No. 1160), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Tenement-House Law, in relation to fireproof tenements" (Int. No. 1161), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Tenement-House Law, in relation to overcrowding" (Int. No. 1162), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Tenement-House Law, in relation to height of tenements" (Int. No. 1163), which was read the first time and referred to the committee on affairs of cities.

Mr. Walker introduced a bill entitled "An act to amend the General City Law, in relation to license to operate moving picture apparatus" (Int. No. 1164), which was read the first time and referred to the committee on affairs of cities.

Mr. Warren introduced a bill entitled "An act to amend the Greater New York charter, in relation to advancing the date of return of arrears to the collector and the date for furnishing bills of arrears of taxes and assessments" (Int. No. 1165), which was read the first time and referred to the committee on affairs of cities.

Mr. R. B. Waters introduced a bill entitled "An act to amend chapter six hundred and seventy-one of the Laws of eighteen hundred and ninety-two, entitled 'An act to revise, consolidate and amend the several acts relating to the government of the city of Cohoes,' in relation to local improvements" (Int. No. 1166), which was read the first time and referred to the committee on affairs of cities.

Mr. Gerhardt introduced a bill entitled "An act to authorize and empower the board of assessors of the city of New York to estimate and allow damages sustained by certain owners of real property in consequence of the closing of certain streets in the borough of the Bronx, city of New York" (Int. No. 1167), which was read the first time and referred to the committee on affairs of cities.

Mr. Haines introduced a bill entitled "An act to amend the Membership Corporations Law, in reference to corporations for the prevention of cruelty to animals" (Int. No. 1168), which was read the first time and referred to the committee on the judiciary.

Mr. Pierce introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to undertakings and payment of fees upon service of a writ of habeas corpus" (Int. No. 1169), which was read the first time and referred to the committee on codes.

Mr. Seeley introduced a bill entitled "An act making an appropriation for highway improvement, in expediting the building

of portions of State routes four and fifteen" (Int. No. 1170), which was read the first time and referred to the committee on ways and means.

Mr. Oliver introduced a bill entitled "An act to incorporate The World Bible League" (Int. No. 1171), which was read the first time and referred to the committee on the judiciary.

Mr. Evans introduced a bill entitled "An act making an appropriation for highway improvement in expediting the building of certain portions of route number four, of the State highway system" (Int. No. 1172), which was read the first time and referred to the committee on ways and means.

Mr. Shea introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the use and licensing of dogs for hunting game birds" (Int. No. 1173), which was read the first time and referred to the committee on forestries, fisheries and game.

Mr. O'Connor introduced a bill entitled "Concurrent resolution proposing an amendment to sections one and fourteen of article three, section nine of article four, section four of article seven, section two of article twelve and section one of article fourteen of the Constitution of the State of New York, establishing a people's veto through the optional referendum, and a direct initiative by petition and at general or special elections" (Int. No. 1174), which was read the first time and referred to the committee on the judiciary.

Mr. M. A. O'Neil introduced a bill entitled "An act to amend chapter seven hundred and four of the Laws of nineteen hundred and one, entitled 'An act to make the office of the clerk of the county of Kings a salaried office and regulating the management of said office,' as amended by chapter three hundred and sixty-six of the Laws of nineteen hundred and six" (Int. No. 1175), which was read the first time and referred to the committee on internal affairs.

Mr. Jackson introduced a bill entitled "An act to amend the Railroad Law, in relation to crews for engines in yard and terminal service" (Int. No. 1176), which was read the first time and referred to the committee on railroads.

A message from the Governor, by the hand of his Secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March* 23, 1911.

To the Legislature:

The legislative appropriations for the year 1910 increased the expenses of the State by $6,373,880.35 over the highest previous year. Since 1901 the income of the State applicable to current expenses has been collected by indirect taxation, and that income has ranged from $20,751,128.02 in the fiscal year ending September 30, 1901, to the sum of $34,362,759.81 for the year ending September 30, 1910.

At the extraordinary session of 1910 the Legislature passed a financial measure apparently intended to relieve the impending shortage resulting from extravagant appropriations. It amended the law in relation to taxable transfers, usually known as the inheritance tax, by an almost total destruction of the exemption which had, till then, shielded all the estates under $10,000 from this tax, and it adopted a progressive tax wholly new in the financial policy of this State and confiscatory in some of its phases.

The Taxable Transfer Law had been in operation in this State since 1885, and the construction of nearly all of its provisions and amendments had been settled by the courts. The operation of the law has produced a revenue, steadily increasing with the wealth of our people, and amounting to $8,577,338.50 in the year 1910, thus yielding about one-fifth of the total revenue of the State. Its rates of 1 per cent. for direct heirs and near relatives, and 5 per cent. for all others, compared favorably with the corresponding rates of other States, and it did not drive citizens from the State nor directly affect corporations organized under the laws of this State, and, by exempting estates under $10,000, it relieved the larger number of estates from this form of taxation. It was, however, subject to the criticism of double taxation, in that it taxed the shares of New York corporations held by nonresidents while the same shares were taxed elsewhere, and it was defective in other minor respects.

Without previous public discussion and with little debate in the Legislature, this law was amended by applying the tax to estates amounting to less than $10,000 passing to lineals and near relatives, and by adoption of a "progressive" system with rates, which, in some cases, take one-fourth of the value of the transfer.

It is hard to say which of these changes was most unwise. The policy of exempting small estates is intended to relieve individuals from a tax burden to which they are unequal, and to relieve

the State of collection expenses disproportionate to the revenue return. It is unjust that a widow or orphan receiving a few hundred dollars by inheritance should be subjected to the cost and trouble of a tax appraisal, and it is undesirable for the State to maintain an army of officials to look after an infinite number of small estates. In this case two principal canons of taxation, namely equitable adjustment of the burden and avoidance of undue expense of collection, are both violated.

Adequate consideration of the proposition of a progressive tax would have shown that the one enacted was arbitrary in the rates fixed; was unfair to capital needed for the proper management of our industries, and that it invited extensive evasions of the law. It may have been expected that State revenues would be increased, and it was perhaps intended partly to redistribute private wealth. It cannot be known at this time that the operation of the new law will result in any material ultimate gain in revenue, but it is known beyond a doubt that the change has caused removal of capital from the State in an alarming amount. In a recent conference of financial officers in New York city, especially familiar with the situation, it was stated that, to the knowledge of those present, the funds thus removed already exceed $400,000,000 and that the number of citizens which the State has already lost in consequence was very large. Every person acquainted with the subject-matter has knowledge of instances of similar movements. This not only reduces the number of estates which would be liable in the future to a transfer tax, but it impairs the general levy for local purposes, and it discourages the formation of corporations under the laws of this State, from which source a considerable share of our State income has been derived. Moreover, by the driving out of the larger properties, it increases the burden to be borne by the lesser estates, which cannot well escape. The continued operation of this law would, within a relatively short time, undoubtedly reduce the volume of revenue which may be had from taxation of inheritances. The present Comptroller and his predecessor unite in condemning the new act as a fiscal measure. For these reasons I recommend the substantial restoration of the Inheritance Tax Law which was in force at the time of this change.

JOHN A. DIX.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Trombly (No. 735, Int. No. 117), entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes."

Also, Assembly bill introduced by Mr. Washburn (No. 346, Int. No. 339), entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes."

Also, Assembly bill introduced by Mr. Oliver (No. 1240, Int. No. 1073), entitled "An act to amend the Executive Law, in relation to examiners in the office of the Comptroller."

Also, Assembly bill introduced by Mr. A. E. Smith (No. 1084, Int. No. 975), entitled "An act making an appropriation for the improvement of the canals."

Also, Assembly bill introduced by Mr. A. E. Smith (No. 1084, Int. No. 975), entitled "An act making an appropriation for the improvement of the canals."

Also, Assembly bill introduced by Mr. Neupert (No. 1205, Int. No. 1040), entitled "An act to authorize the Adjutant-General to reopen, try and determine the claim made by Anthony J. Ross, private, Company E, Seventy-fourth Regiment Infantry, National Guard, for expenses resulting from injuries received during service."

Also, Assembly bill introduced by Mr. A. E. Smith (No. 1135, Int. No. 1009), entitled "An act making an appropriation for the protection of forests from fire."

Also, Assembly bill introduced by Mr. Merritt (No. 478, Int. No. 466), entitled "An act to provide for the preparation, printing and distribution of a report of the dedication of the New York State Central Historical Memorial, and reappropriating an unexpended balance to defray the expenses therefor."

Also, Assembly bill introduced by Mr. A. E. Smith (No. 1085, Int. No. 976), entitled "An act making an appropriation for the improvement of the canals."

Also, Assembly bill introduced by Mr. Merritt (No. 463, Int. No. 454), entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. A. E. Smith, from the committee on ways and means, to

which was recommitted Assembly bill introduced by Mr. McDaniels (No. 373, Int. No. 365), entitled "An act to amend the Highway Law, by the addition of a new State route in the counties of Chemung, Schuyler and Tompkins," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill (No. 658, Int. No. 623) introduced by Mr. A. E. Smith, entitled "An act making an appropriation for the payment of indemnities for animals destroyed under the provisions of the Agricultural Law," reported in favor of the passage of the same, with the following amendments:

Page 1, line 1, strike out "Forty thousand dollars ($40,000)" and insert "Seventy thousand dollars ($70,000)".

Page 1, lines 6 and 7, strike out "Fifteen thousand dollars ($15,000)" and insert "Thirty thousand dollars ($30,000)".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Senate bill introduced by Mr. Murtaugh (No. 157, Rec. No. 4), entitled "An act making an appropriation for highway improvement in expediting the building of a State highway or road from a point on route number four at the dividing line between Broome and Tioga counties to Geneva," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Donovan (No. 817, Int. No. 745), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section fourteen of article six of the Constitution, in relation to the County Court of Kings county."

Also, Assembly bill introduced by Mr. Jackson (No. 617, Int. No. 589), entitled "An act to amend the Election Law, in relation to primary elections."

Also, Assembly bill introduced by Mr. Hinman (No. 1198, Int.

No. 1033), entitled "An act to amend chapter one hundred and thirty-seven of the Laws of eighteen hundred and sixty-one, entitled 'An act to empower Masters Lodge Number Five of Free and Accepted Masons, in the city of Albany, to hold and convey real estate,' in relation to the election of trustees."

Also, Assembly bill introduced by Mr. A. J. Levy (No. 899, Int. No. 809), entitled "An act to amend the Judiciary Law, in relation to salaries of the official interpreters in the court of general sessions of the peace in and for the county of New York," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. A. J. Levy, from the committee on the judiciary, to which was recommitted Assembly bill introduced by Mr. Jackson (No. 1112, Int. No. 668), entitled "An act to amend the Election Law, in relation to creating a board of elections in Erie county and defining its powers and duties," retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill (No. 567, Int. No. 550) introduced by Mr. A. J. Levy, entitled "An act to amend the Judiciary Law, in relation to the salaries of the record clerks of the court of general sessions of the peace in and for the county of New York," reported in favor of the passage of the same, with the following amendment:

Page 2, line 12, strike out "three thousand" and insert "two thousand five hundred".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Senate bill introduced by Mr. Stilwell (No. 176, Rec. No. 31), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section two of article six of the Constitution, in relation to assignment of justices of the Supreme Court to hold Special and Trial Terms."

Also, Senate bill introduced by Mr. Burd (No. 94, Rec. No. 23), entitled "An act to amend the Education Law, relating to the Supreme Court library at Buffalo," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill (No. 697, Int. No. 661) introduced by Mr. Hoey, entitled "An act to amend the Greater New York charter, in relation to service of employees and compensation therefor," reported in favor of the passage of the same, with the following amendments:

In the title after the word "employees" insert the words "in the labor class".

Page 1, line 7, after the word "employees" insert the words "in the labor class". Strike out on same line the words "including per diem employees".

Line 8, strike out the words "except the".

Line 9, strike out all of line.

Line 10, strike out the syllable "ments".

Page 2, line 2, after the word "law" insert the words "except as hereinafter provided".

Line 5, after the word "employees" insert the words "in the labor class".

Line 7, strike out the words "double compensation for such services" and insert the words "in addition to their regular wages extra compensation at a rate to be fixed by the board of estimate and apportionment".

Line 9, strike out the words "except the members of the uni-" and insert in place thereof the words "in the labor class".

Line 10, strike out all of line except the words "whenever the".

Line 12, strike out the syllable "ployee", insert the letter "s".

Line 15, strike out all of line.

Line 16, strike out all of line.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Hoey (No. 712, Int. No. 676), entitled "An act to amend the Greater New York charter, in relation to the establishment of a bureau of public safety in the police department," reported the same with the following amendments:

On page 1, lines 9 and 10, strike out the words "officers who have heretofore been detailed to the inspection of steam boilers" and insert instead thereof the words "examining engineers, boiler inspectors and patrolmen detailed as boiler inspectors".

On page 2, line 1, add the letter "s" to the word "inspector", making it read "inspectors".

On page 2, strike out the last three words on line 4, all of lines 5, 6 and 7.

On page 2, lines 11 and 12, strike out the words "members of the police force and to licensed engineers and practical boiler-makers" and insert instead thereof the words "licensed engineers".

On page 2, line 12, after the words "any engineer" strike out the words "or boiler-maker".

On page 2, lines 15 to 18 inclusive, strike out the words "the boiler inspectors who are policemen shall not be barred from taking any competitive examinations for which they are qualified to any higher grade or rank in the police department".

On page 2, line 23, after the word "Commission" add the letters "er" making the word read "Commissioner".

On page 5, lines 9 and 10, place brackets about the words "and not over" and insert instead thereof in italics the words "or of".

On page 6, line 24, strike out the words "the employer" and insert instead thereof the words "the officer in charge of the bureau of public safety".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill introduced by Mr. Donovan (No. 312, Int. No. 311), entitled "An act to amend the Penal Law, in relation to the crime of extortion."

Also, Assembly bill introduced by Mr. Blauvelt (No. 122, Int. No. 121), entitled "An act to amend the Code of Civil Procedure, in relation to actions to recover real property, and to repeal certain sections thereof."

Also, Assembly bill introduced by Mr. Foley (No. 955, Int. No. 864), entitled "An act to amend the Code of Civil Procedure, in relation to appointment of confidential stenographer and typewriter operator."

Also, Assembly bill introduced by Mr. Ward (No. 809, Int. No.

739), entitled "An act to amend the Penal Law, in relation to extortion and the punishment therefor," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 123, Int. No. 122) introduced by Mr. Blauvelt, entitled "An act to amend the Code of Civil Procedure, in relation to appeals," reported in favor of the passage of the same, with the following amendments:

On page 1, line 11, before the word "judgment" insert the word "final" in italics.

On page 1, line 11, strike out the word "absolute".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 1119, Int. No. 993) introduced by Mr. Fry, entitled "An act to amend the Code of Civil Procedure, in relation to substitutes for personal service on domestic corporations in certain cases," reported in favor of the passage of the same, with the following amendments:

On page 2, line 24, strike out the word "proper" and insert in its place the word "suitable" in italics.

On page 2, line 24, after the word "age" insert the words "and discretion" in italics.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Assembly bill (No. 41, Int. No. 41) introduced by Mr. W. R. Herrick, entitled "An act to amend the Penal Law, in relation to selling, offering for sale or receiving horses or other animals which by reason of disease or lameness are unfitted for work," reported in favor of the passage of the same, with the following amendments:

On page 2, line 7, before the word "lameness" insert the word "incurable" in italics.

On page 2, line 7, strike out the word "for".

On page 2, line 7, before the word "cause" insert the word "irremediable" in italics.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Chanler, from the committee on codes, to which was referred Senate bill introduced by Mr. Hamilton (No. 147, Rec. No. 68), entitled "An act to amend the Code of Civil Procedure, in relation to the jurisdiction of County Courts," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 1199, Int. No. 1034), entitled "An act to amend the Insurance Law, in relation to the powers of casualty corporations."

Also, Assembly bill introduced by Mr. Hoey (No. 425, Int. No. 420), entitled "An act to amend the Insurance Law, relative to proceedings against and the liquidation of delinquent insurance corporations."

Also, Assembly bill introduced by Mr. Hoey (No. 1201, Int. No. 1036), entitled "An act to amend the Insurance Law, in relation to the taxes to be paid by foreign insurance corporations, by providing that the tax to be paid by such corporations shall be upon the premiums received from business arising and done in this State," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Hoey, from the committee on insurance, to which was recommitted Assembly bill introduced by Mr. Hoey (No. 1188, Int. No. 393), entitled "An act to amend the Insurance Law by providing that persons, associations and corporations doing a fire insurance business in this State shall report the amounts at risk in congested value districts," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered placed on the order of second reading.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 408, Int. No. 399), entitled "An act to amend the Insurance Law, so as to permit licensed agents to issue and countersign policies to cover surplus line insurance," reported the same with the following amendments:

Page 1, title, insert after word "permit" the following: "firms and corporations to be".

Insert after the word "to" the following: "procure".

Strike out words "issue and countersign policies to cover".

Insert after word "line" the following: "fire".

Change period at end of title to semicolon and add the following: "and to permit the Superintendent of Insurance to license persons, associations and corporations not otherwise authorized to do business in this State, to issue policies of surplus line fire insurance in this State on application of licensed agents under specified conditions."

Page 2, line 1, insert after "corporations" the following: "having places of business in".

Page 2, line 2, insert bracket "]" after first word "of" in line; strike out bracket "]" after word "State".

Page 2, line 4, strike out italicized words "from or to issue and countersign".

Page 2, line 5, strike out bracket "[]" before and after word "from"; strike out italicized word "of".

Page 2, line 8, strike out italicized words ", or issued and countersigned".

Page 2, line 18, strike out italicized words "or issuing and coun-".

Page 2, line 19, strike out italicized word "tersigning".

Page 3, line 7, insert brackets "[]" before and after word "Volunteer".

Page 3, line 8, insert bracket "[" before word "Volunteer".

Page 3, line 9, insert bracket "]" after word "Volunteer".

Page 3, line 17, strike out italicized words ", or issued and countersigned".

Page 3, line 21, insert brackets "[]" before and after word "Volunteer".

Page 3, line 21, insert brackets "[]" before and after word "Home".

Page 4, line 1, strike out comma and word "or".

Page 4, line 2, strike out words "issued and countersigned".

Page 4, line 2, strike out italicized words "All policies issued".

Page 4, lines 3 to 16 inclusive, strike out all italicized words.

Page 4, line 17, strike out words "This act shall take effect immediately" and insert the following: "The said chapter is hereby further amended by inserting therein a new section, to be known as section one hundred and thirty-eight, and to read as follows:

"§ 138. License to persons, partnerships, associations and corporations in excepted cases. The Superintendent of Insurance in

his discretion may issue to any person, partnership, association or corporation complying with the requirements of this section, a certificate permitting the holder thereof to issue policies of fire insurance within this State, upon applications made to it or them, under the conditions as set forth in section one hundred and thirty-seven, by agents licensed thereunder but not otherwise.

"Such certificates shall be granted only upon the filing with the Superintendent of Insurance of an application therefor signed and acknowledged by the persons, partnerships or the proper attorneys or officers of the associations or corporations desiring same and such applications shall contain the name and address in each instance of the agent or agents through whom the applicant proposes to conduct the business herein permitted. Such certificates when granted shall specify that the insurer or insurers named therein may issue in this State policies of fire insurance through the agent or agents named in such certificates, upon the application of agents licensed under section one hundred and thirty-seven but not otherwise. The sum of twenty-five dollars shall be paid to the Superintendent of Insurance for each certificate so issued and such certificate shall remain in force for the period of one year from the date thereof unless sooner revoked by the said Superintendent, provided, however, that whenever the holder of any such certificate desires to substitute the name of any new agent in place of the agent named in the certificate, the Superintendent may, if he approves of the change, issue a new certificate for the unexpired term of the original certificate in which shall appear the name of such agent so substituted. Any certificate granted under this section shall be revoked upon proof to the satisfaction of the said Superintendent that the holder thereof either directly or through any agent or attorney-in-fact has violated any provision of this chapter, or is in such condition that the further transaction of business by it or them would be hazardous to the people of the State.

"Every policy issued in this State by any person, partnership, association or corporation to whom a certificate under this section shall be granted (a) shall be countersigned by the agent named in the certificate; and (b) shall contain the provisions of the standard policy provided for by section one hundred and twenty-one of this chapter, or an agreement that the policy so issued shall be subject to such provisions and that any condition thereof inconsistent with or contrary to the provisions of the standard policy shall be null and void; and (c) shall contain a further provision that service of a summons or other legal process relative to any claim under such policy may be made on the agent issuing or countersigning the same and that such service shall be equivalent

to the personal service within this State of such process on the persons, associations or corporations obligated thereupon; and (d) shall have printed in red ink upon the outside cover thereof, under the name of the corporation or association issuing the same, in plain type, the words: Surplus line insurance only; this company (person, partnership, or association, as the case may be) is not under the supervision of the New York State Insurance Department; issued by.....agent, address.....

"The books and records of every agent within this State for such corporations, persons, partnerships and associations, shall be open at all times to the inspection of the Superintendent of Insurance, and must show, first, the exact amount of insurance written; second, the gross premiums charged thereon; third, the date of the policy; fourth, the term thereof; fifth, the location of the property; and, sixth, the names of those licensed agents upon whose applications the insurance was issued.

"Nothing herein contained shall be held to prevent any agent licensed under the provisions of section one hundred and thirty-seven from acting as the agent of any corporation, person, partnership or association to whom a certificate has been granted under this section.

"§ 3. This act shall take effect immediately."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 403, Int. No. 394), entitled "An act to amend the Insurance Law, by providing for the regulation and supervision of rate-making associations," reported the same with the following amendments:

Page 2, line 13, strike out word "specific" and insert in place thereof the word "class".

Page 2, line 13, insert after word "all" the following: "classes of".

Page 2, line 14, strike out word "general".

Page 2, line 15, strike out all of line after word "apply"; change comma to semicolon.

Page 2, line 16, strike out words "specific rate or rates;".

Page 2, line 16, strike out "immediate notice of" and insert "annually".

Page 2, line 19, insert after word "superintendent" the following: "of insurance"; and change semicolon to period after word "superintendent".

Page 2, line 19, change small "n" in word "no" to capital "N" and begin new paragraph.

Page 2, line 25, insert after word "of" the following: "or subscribers to".

Page 2, line 25, change comma to semicolon after word "bureau" and strike out word "or".

Page 2, line 26, strike out words "with a specified class of insurers;".

Page 3, line 1, insert after word "discriminates" the following: "unfairly".

Page 3, line 1, insert after the word "risks" the following: "within this State".

Page 3, line 2, after word "hazard" insert the following: "belonging to classes having substantially the same fire class record".

Page 3, line 2, after word "similarly", insert the following: "situated and".

Page 3, line 3, strike out words "within this State".

Page 3, line 6, after word "purpose" insert the following: "from the salaried employees of the Insurance Department".

Page 3, line 7, strike out words, "the rates on such risks to be made uniform", and insert in place thereof the following: "such discrimination removed".

Page 3, line 10, strike out line after word "bureau".

Page 3, line 11, strike out line up to and including word "it" and change word "or" to "nor".

Page 3, line 12, strike out words "transact the", and insert the following: "insure property against loss by fire".

Page 3, line 13, strike out words "business of fire insurance".

Page 3, line 13, after word "agreement" insert word "shall".

Page 3, line 17, strike out line.

Page 3, line 18, strike out line.

Page 3, line 19, strike out words "ment, or because such brokers".

Page 3, line 20, after word "rates" insert the following: "of premium".

Page 3, line 20, change comma after word "bureau" to period and strike out words "or seek to".

Page 3, line 21, strike out line.

Page 3, line 22, strike out line.

Page 3, line 23, strike out line.

Page 4, line 6, after word "mittee" insert the following: "or other proper executive".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 867, Int. No. 786), entitled "An act to amend the Insurance Law, making void policies of life insurance issued in violation of section eighty-nine of such law and providing for notice to that effect on each policy," reported the same, with the following amendment:

On page 2, line 10, change the word "stock" to "stocks".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 964, Int. No. 873), entitled "An act to amend the Insurance Law, in relation to co-operative fire insurance corporations," reported the same, with the following amendments:

Page 3, line 23, after the word "insurance" insert in italics the words "since the first day of September, nineteen hundred and ten,".

Page 3, lines 24, 25 and 26, strike out the words "pursuant to the provisions of chapter three hundred and twenty-eight of the Laws of nineteen hundred and ten" and insert in italics the words "to which the provisions of this article are applicable," in place thereof.

Page 4, line 1, insert in italics after the word "hereby" the words "made and".

Page 7, line 14, change the word "application" to "applications".

Page 10, line 21, bracket the word "purpose" and insert in italics before the word "specified" the word "purposes".

Page 15, line 13, insert in italics after the word "reserve" the words ", by assessment or otherwise,".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Hoey, from the committee on insurance, to which was recommitted Assembly bill introduced by Mr. Hoey (No. 1187, Int. No. 416), entitled "An act to amend the Insurance Law, in relation to the reinsurance of life insurance corporations," reported the same, with the following amendment:

On page 2, line 19, insert the word "funds" after the word "premium".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 407, Int. No. 398), entitled "An act to amend the Insurance Law, by providing for a notice to be printed on the cover of policies of mutual fire insurance companies and in relation to the conditions which may be indorsed upon the standard fire insurance policy," reported the same, with the following amendments:

Page 2, line 23, insert bracket "]" after word "may".

Page 2, line 23, strike out bracket "[" after word "one"; strike out the word "eleven".

Page 1, line 6, place bracket about the word "page" and insert instead the word "face" in italics.

Page 2, lines 3 to 10, strike out all matter in italics.

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Hoey, from the committee on insurance, to which was referred Senate bill (No. 302, Rec. No. 80) introduced by Mr. T. D. Sullivan, entitled "An act to amend the Insurance Law, in relation to the assets and liabilities of casualty insurance corporations doing an employers' liability insurance business," reported in favor of the passage of the same, with the following amendments:

On page 8, line 11, strike out the word "one" and insert in place thereof "(1)".

On page 8, line 12, strike out the word "two" and insert in place thereof "(2)".

On page 8, line 13, strike out the word "three" and insert in place thereof "(3)"; strike out the word "four" and insert in place thereof "(4)"; strike out the word "five" and insert in place thereof "(5)".

On page 8, line 24, after the word "item" strike out the word "two" and insert in place thereof "(2)".

On page 10, line 19, after the word "item" strike out the word "one" and insert in place thereof "(1)".

On page 10, line 20, after the word " item " strike out the word " six " and insert in place thereof "(6)".

On page 10, line 22, after the word " item " strike out the word " one " and insert in place thereof "(1)".

On page 10, line 23, after the word " item " strike out the word " two " and insert in place thereof "(2)".

On page 10, line 24, after the word " items " strike out the word " three " and insert in place thereof "(3)".

On page 10, line 25, strike out the word " four " and insert in place thereof "(4)"; after the word " and " strike out the word " five " and insert in place thereof "(5)".

On page 11, line 12, after the word " item " strike out the word " two " and insert in place thereof "(2)".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Miller (No. 1148, Int. No. 1022), entitled "An act to amend the Personal Property Law, in relation to providing for trusts for care of cemetery and private burial lots outside of cemeteries."

Also, Assembly bill introduced by Mr. Kopp (No. 464, Int. No. 455), entitled "An act to amend the General Business Law, in relation to bonds heretofore filed with the State Comptroller by ticket agents under article ten thereof," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Shortt (No. 1016, Int. No. 917), entitled "An act requiring the Board of Regents of the University of the State of New York to deliver to the State of South Carolina certain documents and records now in the State Library," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill (No. 534, Int. No. 518) introduced by Mr. Cuvillier, entitled "An act to amend the Domestic Relations Law, in relation to marriage licenses," reported in favor of the passage of the same, with the following amendment:

Page 2, line 22, insert after word "license" "except with the consent of a justice of the Supreme Court" in italics.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Shortt, from the committee on general laws, to which was referred Assembly bill (No. 793, Int. No. 726) introduced by Mr. A. E. Smith, entitled "An act to amend the General Business Law, in relation to weights, measures and containers, and to repeal section two hundred and sixty-three of the Agricultural Law," reported in favor of the passage of the same, with the following amendments:

Page 2, line 19, change "twenty" to "fifty" in italics.

Page 3, line 10, strike out the word "sixteen".

Page 3, line 11, strike out the word "sixteen".

Page 3, line 14, after the word "dispensed" add "for consumption" in italics.

Page 3, line 14, after the word "premises" add a comma.

Page 3, line 14, strike out the words "commodities put in".

Page 3, line 14, after the word "receptacles" add "used" in italics.

Page 3, line 15, strike out "immediate delivery to the retailer or consumer".

Page 3, line 15, after the word "for" add "the purpose of carrying or delivering commodities or containers described in such sections," in italics.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Shortt, from the committee on general laws, to which was recommitted Assembly bill introduced by Mr. Gould (No. 201, Int. No. 200), entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Niagara county, and abolishing the office of commissioner of jurors in such county," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 2, between lines 24 and 25, insert the following:

"§ 3. Section seventeen of said chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, as amended by chapter three hundred and twenty of the Laws of nineteen hundred, is hereby amended to read as follows:

"§ 17. This act shall not apply to the counties of New York, Kings, Erie, Monroe, Niagara, Onondaga Westchester or Rensselaer."

Page 2, line 25, after the section mark strike out the figure "3" and insert the figure "4".

Page 3, at end of line 3, add the following: "The existing jury lists of such county shall continue as the jury lists thereof until new jury lists be prepared in pursuance of law."

Page 3, line 4, after the section mark strike out the figure "4" and insert in place thereof the figure "5".

which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. Shortt, from the committee on general laws, to which was referred Senate bill introduced by Mr. White (No. 623, Rec. No. 74), entitled "An act to amend the General Corporation Law, in relation to revival of corporate existence," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Martin, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. Goodwin (No. 454, Int. No. 445), entitled "An act to amend section six of chapter five hundred and seventeen of the Laws of eighteen hundred and ninety-nine, entitled 'An act to authorize the paving or macadamizing of streets, avenues, highways and public places in the village of Port Chester, Westchester county, and to provide for the payment of the expense of the same,' in relation to the rate of interest of certificates of indebtedness or assessment bonds therein authorized to be issued."

Also, Assembly bill introduced by Mr. Goodwin (No. 776, Int. No. 709), entitled "An act to set over and cede lands to the village of Port Chester, New York, and to authorize the said village to lay out one or more highways thereover and thereon and to issue bonds of the village to pay a part or proportion of the expense of opening and laying out of the said highways, and to authorize the board of trustees of the said village to fix and establish an assessment district on which the balance of such expense will be imposed."

Also, Assembly bill introduced by Mr. Goodwin (No. 453, Int.

No. 444), entitled "An act to amend section three of title four of chapter eight hundred and eighteen of the Laws of eighteen hundred and sixty-eight, entitled 'An act to incorporate the village of Port Chester,' in relation to the collection of taxes in said village."

Also, Assembly bill introduced by Mr. Shannon (No. 1220, Int. No. 1055), entitled "An act to amend chapter seven hundred and eighty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Bath, in the county of Steuben, and to repeal certain acts and parts of acts,' in relation to providing for a firemen's fund with moneys raised by taxation in such village," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Martin, from the committee on affairs of villages, to which was recommitted Assembly bill introduced by Mr. Cosad (No. 837, Int. No. 372), entitled "An act to legalize certain proceedings of the village of Waterloo, in Seneca county, its legal voters, trustees, officers and agents relating to the establishment of a sewer system and disposal plant, including the making of contracts and issue of village bonds therefor, and to authorize the execution and sale of such bonds and provide for their payment from moneys to be raised by taxation in said village," retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Gurnett, from the committee on forestry, fisheries and game, to which was referred Assembly bill introduced by Mr. Merritt (No. 1239, Int. No. 1072), entitled "An act to amend section seventy-three of the Forest, Fish and Game Law, by adding the town of Hopkinton, Saint Lawrence county, to be subject to the provisions of said section."

Also, Assembly bill introduced by Mr. Waring (No. 961, Int. No. 870), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking suckers with nets in Ulster county."

Also, Assembly bill introduced by Mr. Waring (No. 960, Int. No. 869), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking quail in Dutchess and Ulster counties."

Also, Assembly bill introduced by Mr. Shannon (No. 305, Int. No. 304), entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing on Lake Keuka."

Also, Assembly bill introduced by Mr. Shannon (No. 303, Int. No. 302), entitled "An act to amend the Forest, Fish and Game Law, in relation to open season for fishing on Lake Keuka."

Also, Assembly bill introduced by Mr. Sullivan (No. 112, Int. No. 111), entitled "An act to amend the Forest, Fish and Game Law, in relation to the taking of English snipe in certain towns of the counties of Erie and Chautauqua."

Also, Assembly bill introduced by Mr. Sullivan (No. 75, Int. No. 76), entitled "An act to amend the Forest, Fish and Game Law, in regard to open season for lake trout and whitefish," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Gurnett, from the committee on forestry, fisheries and game, to which was referred Assembly bill (No. 304, Int. No. 303), introduced by Mr. Shannon, entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing on Lake Keuka," reported in favor of the passage of the same, with the following amendment:

Page 3, line 15, after the word "three" and before the word "hooks" insert the word "treble".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Caughlan, from the committee on railroads, to which was referred Assembly bill introduced by Mr. Jackson (No. 230, Int. No. 228), entitled "An act to amend the Railroad Law, relative to the better protection of the lives of railroad employees and the minimum number of employees to be employed in the operation of certain trains," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. J. J. O'Neill, from the committee on charitable and religious societies, to which was referred Assembly bill introduced by Mr. Lent (No. 896, Int. No. 806), entitled "An act to incorporate the Rite of Adoption of the World, Order of the

Amaranth," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Patrie, from the committee on public education, to which was referred Assembly bill introduced by Mr. Wende (No. 693, Int. No. 657), entitled "An act to legalize, ratify and confirm the proceedings of the inhabitants of school district number six of the town of West Seneca, in the county of Erie, its board of trustees, officers and agents, in the matter of the issuance and sale of the bonds of said district in the sum of eleven thousand and fifty dollars, for the purpose of paying the purchase price of an addition to the site of the high school, to legalize such bonds, and to provide for the payment of the principal and interest of the same," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Warren (No. 1186, Int. No. 936), entitled "An act to amend the Penal Law, relative to buying or receiving stolen or wrongfully acquired property."

Also, the bill introduced by Mr. Hoey (No. 1171, Int. No. 146), entitled "An act to amend the Greater New York charter. in regard to the appointment of a municipal architect," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Warren (No. 1168, Int. No. 549), entitled "An act to amend the Code of Civil Procedure, in relation to actions for negligence," reported the same with the following recommendations:

On page 1, line 2, strike out the brackets.
On page 1, line 4, enclose " causing death by " in brackets.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Warren (No. 1189, Int. No. 266), entitled "An act to amend the Personal Property Law, in

relation to sales of goods," reported the same with the following recommendations:

On page 19, line 2, change " act " to " article ". Also on same page, line 7, change " act " to " article ".

On page 37, line 10, insert " u " after the word " transit ".

On page 46, line 23, after " and " insert " section twenty of ",

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Foley (No. 1154, Int. No. 248), entitled "An act to revise the charter of the city of Watervliet," reported the same with the following recommendations:

On page 50, line 3, strike out " one " and insert " two ".

On page 52, line 12, strike out " one " and insert the word " two ".

On page 75, line 7, strike out " one " and insert " two ".

Page 112, line 23, strike out " five " and insert " ten ".

Page 154, line 1, between words " street " and " alley ", insert " lane ".

On page 79, line 20, change " election " to " appointment "; also in line 21 strike out " mayor ", and in the same line begin " chairman " with capital.

On page 80, line 11, strike out " academy or high school " and insert " Increased estimate "; also on page 80, line 12, strike out " state moneys for superintendent of schools " and insert " academy or high school."

On page 88, line 23, strike out " subdivision one of " and insert " the proceeding "; also in line 26, strike out " eleven " and insert " ten ".

On page 80, line 17, strike out all of line after " Watervliet "; also strike out lines 20 and 21.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed.

"An act to amend article four of the Labor Law, entitled 'An act relating to labor, constituting chapter thirty-one of the Consolidated Laws,' in relation to medical reports of the Bureau of Labor Statistics." (No. 1111, Int. No. 164.)

"An act to amend the Insurance Law, in relation to the powers of title guaranty corporations." (No. 1179, Int. No. 711.)

"An act to amend the Greater New York charter, in relation to the issue of corporate stock." (No. 1293, Int. No. 944.)

"An act to amend the State Boards and Commissions Law, relative to notice, plans, specifications and map." (No. 1292, Int. No. 43.)

"An act to amend chapter two hundred and sixty-nine of the Laws of eighteen hundred and seventy-two, entitled 'An act authorizing the construction of a bridge across the Hudson river at the city of Albany, and incorporating the "Albany and Greenbush Bridge Company,"' in relation to rates of toll to be charged by said company or its successors, including the Albany Southern Railroad Company, and the sale of tickets." (No. 1290, Int. No. 453.)

"An act to amend the Penal Law, in relation to guide signs lawfully erected upon highways." (No. 1291, Int. No. 882.)

"An act to amend the Greater New York charter, in regard to the appointment of a municipal architect." (No. 1171, Int. No. 146.)

"An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relating to the designation of an official newspaper." (No. 1271, Int. No. 461.)

"An act to amend the Judiciary Law, in relation to jurors in New York county." (No. 1094, Int. No. 425.)

"An act to amend the Public Service Commissions Law, in relation to the issuance of free passes, or franks, by telephone or telegraph companies." (No. 1096, Int. No. 403.)

"An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally." (No. 1272, Int. No. 133.)

"An act to amend the Penal Law, in relation to kidnapping." (No. 1109, Int. No. 53.)

"An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the fire pension fund." (No. 1190, Int. No. 101.)

"An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to salaries." (No. 1191, Int. No. 278.)

Mr. Brennan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill (No. 1252, Int. No. 759), entitled "An act to amend the Greater New York charter, in relation to pensions of members of the fire department."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Brennan moved to amend as follows:

From the word "in", line 22, page 2, to the word "service", line 2, page 3, is new matter and should be in italics.

Line 11, page 3, by adding after the tenth word "be" new matter in italics "not less than"; and after the word "one-third" in same line by adding new matter in italics "not more than one-half".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Brennan, said bill was ordered reprinted and recommitted to said committee.

Mr. Brennan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on general laws be discharged from the further consideration of the bill (No. 483, Int. No. 471), entitled "An act to amend the General Business Law, relative to employment agencies."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Brennan moved to amend as follows:

On page 2, line 21, after the word "teachers" insert the words "or professional nurses", making the sentence read: "It shall not apply to agencies which procure employment for persons as teachers or professional nurses exclusively."

On page 3, line 9, after the words "nurses' registry" insert

the words "other than those specified in section one hundred and seventy of this chapter".

Page 2, line 24, after the word "thereof" insert: "or agencies or bureaus conducted by associations or corporations for the convenience or accommodation of their members or associates where the collection of fees is confined exclusively to such members and associates for the purpose of maintenance of such agency or bureau."

Page 4, line 9, after the word "agent" insert: "other than theatrical engagements".

Page 8, line 3, after the word "form" insert: "or in such other form as the mayor or commissioner of licenses may in his discretion direct."

Page 9, lines 23 and 24, strike out the words "statement, the general form of which shall be printed", and insert in lieu thereof the following: "written or printed statement."

Page 11, strike out subdivision 2 and insert in lieu thereof:

"2. The gross fees which may be charged to theatrical employees by any agent for procuring an engagement, except vaudeville or circus engagements, shall not in any case exceed the gross amount of five per centum of the wages or salary of the engagement when the engagement is less than ten weeks, and an amount of five per centum of the salary or wages per week for ten weeks for a season's engagement constituting ten weeks or more. The gross fees of any agent which may be charged to applicants for vaudeville or circus engagements shall not in any case exceed five per centum of the salary or wages paid."

Page 11, line 16, after the word "thereof" insert: "nor shall applicants for employment promise, offer or give any money, valuable thing or gift to any employee or agent of any person licensed under this act to induce such employee or agent to find employment for such applicant."

Page 11, line 21, after the word "thereof" insert: "but this shall not prohibit the division, sharing or payment of such fees as profits, dividends or salaries or similar expenditures to stockholders, directors, officers or employees of such licensed person though such stockholders, directors, officers or employees may also be employers to whom help is furnished."

Page 14, line 4, after the word "bureau" insert: "booking office".

Page 17, line 5, after the word "certiorari" insert: "and pending such review the mayor or commissioner of licenses may in his discretion issue a temporary license until the hearing and determination of such writ, which he may also revoke if the licensed person unnecessarily delays in bringing on said writ for hearing."

Page 18, line 25, after the word "court" insert: "and if a corporation it shall be punishable by a fine of not less than fifty dollars and not more than five hundred dollars, in the discretion of the court."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Brennan, said bill was ordered reprinted and recommitted to said committee.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Day	Herrick J J	McKeon	Smith A E
Ahern	DeLano	Herrick W R	Merritt	Stivers
Allen	Donnelly	Heyman	Miller	Sullivan
Beach	Donovan	Higgins	Mork	Sweet
Blauvelt	Ebbetts	Hoey	Murray	Talmage
Boylan	Egan	Hoff	Myers	Terry
Brace	Evans	Hollmann	Neupert	Trombly
Brennan	Farrell	Hoyt	Nolan	Turley
Bridenbecker	Fay	Huber	O'Connor	Walker
Brooks	Filley	Jackson	Oliver	Waring
Bryant	Fitzpatrick	Jameson	O'Neill J J	Washburn
Bush	Foley	Jones	O'Neil M A	Waters F A
Butler	Friedman	Kennedy	Pappert	Waters R B
Carew	Fry	Kopp	Parker A	Weil
Caughlan	Geatons	Lansing	Patrie	Wende
Chanler	Gerhardt	LaReau	Phillips J S	White
Cheney	Goldstein	Lent	Pierce	Wheeler
Coffey	Gould	Levy A J	Saunders	Wilson
Collin	Gregg	Levy J	Seeley	Winters
Colné	Gurnett	Manley	Shannon	Yale
Connell	Hackett	Martin	Shea	Yeomans
Constantine	Haines	McCue	Sheide	Young
Cuvillier	Hart	McDaniels	Shepardson	Zorn
Dawson	Hammond	McElligott	Shortt	Speaker

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll

of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bayne	Ferris	Gittins	O'Brien	Ramsperger	
Cronin	Fiero	Grady	Pollock	Wagner	
Cullen	Frawley	McClelland			13

FOR CHAUNCEY M. DEPEW.

Brackett	Hinman	Rose	Travis	Walters	
Bussey	Platt	Thomas	Wainwright		9

FOR MARTIN W. LITTLETON.

Burd	1

FOR M. J. O'BRIEN.

Loomis	Saxe	2

FOR WILLIAM SULZER.

White	1

FOR J. J. HOPPER.

Duhamel	1

When the roll was called the following pairs were announced:

Mr. Allen with Mr. Harden; Mr. Argetsinger with Mr. McManus; Mr. Hewitt with Mr. Murtaugh; Mr. Emerson with Mr. Black; Mr. Coats with Mr. Sanner; Mr. Cobb with Mr. Stilwell; Mr. Griffith with Mr. T. D. Sullivan; Mr. Hamilton with Mr. C. D. Sullivan; Mr. Rose with Mr. Long; Mr. Ormrod with Mr. Harte; Mr. Hcacock with Mr. Griffin.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Egan	Graubard	LaReau	O'Neil M A	
Boylan	Farrell	Gregg	Levy A J	Parker A	
Brennan	Fay	Gurnett	Manley	Patrie	
Bush	Fitzpatrick	Hackett	McElligott	Seeley	
Carew	Foley	Herrick J J	McKeon	Sheide	
Collin	Frisbie	Herrick W R	Moncsynski	Smith A E	
Cuvillier	Geatons	Heyman	Mork	Turley	
Dawson	Gerken	Hoey	Neupert	Washburn	
Donnelly	Gillen	Jackson	Oliver	Weil	
Donovan	Gould	Jameson	O'Neill J J	Zorn	50

FOR CHAUNCEY M. DEPEW.

Adler	Connell	Hoff	Parker J S	Waters F A	
Ahern	Constantine	Jones	Pierce	Waters R B	
Allen	DeLano	Kopp	Shannon	White	
Brooks	Ebbetts	Lansing	Shea	Wilson	
Bryant	Filley	Lent	Shepardson	Winters	
Butler	Haines	Merritt	Stivers	Yale	
Cheney	Hammond	Murray	Sullivan	Yeomans	
Coffey	Hart	Nolan	Sweet	Young	
Colné	Higgins	Pappert	Talmage		44

FOR ALTON B. PARKER.

McDaniels 1

FOR MARTIN H. GLYNN.

Saunders 1

FOR M. J. O'BRIEN.

Chanler Shortt 2

FOR MARTIN W. LITTLETON.

Brace	Hollmann	Hoyt	Huber	Kennedy	
Friedman					6

FOR JOHN D. KERNAN.

Beach	Drummond	Martin	Myers	Trombly	
Bridenbecker	Evans	Miller	Terry	Wheeler	10

FOR JOHN N. CARLISLE.

Day 1

FOR J. J. HOPPER.

O'Connor 1

FOR D. A. BOODY.

Fry 1

When the roll was called the following pairs were announced:

Mr. Gray with Mr. Shlivek; Mr. Wende with Mr. C. W. Phillips; Mr. Caughlan with Mr. T. K. Smith; Mr. Walker with Mr. Brown; Mr. Gerhardt with Mr. Macdonald; Mr. Spielberg with Mr. J. S. Parker; Mr. Schifferdecker with Mr. MacGregor; Mr. Monczynski with Mr. Lincoln; Mr. Hearn with Mr. Keys; Mr. Graubard with Mr. Hinman; Mr. Goldberg with Mr. Ward; Mr. Goldstein with Mr. Baumes.

Whole number of votes cast..... 144
Necessary to a choice..... 73

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	13	50	63
For Chauncey M. Depew.....	9	44	53
For Alton B. Parker.....	0	1	1
For Martin W. Littleton.....	1	6	7
For Martin H. Glynn.....	0	1	1
For John D. Kernan.....	0	10	10
For Morgan J. O'Brien.....	2	2	4
For William Sulzer	1	0	1
For John N. Carlisle.....	0	1	1
For John J. Hopper.....	1	1	2
For D. A. Boody.....	0	1	1

A quorum of all the Senators and Members of the Assembly being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew, whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Frawley, the joint assembly took a recess until Friday, March 24th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Friday, March 24th, at 12 o'clock noon in the Assembly Chamber.

The bill (No. 38, Int. No. 38) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of public officers in the city of Mount Vernon," having been announced, Mr. Foley moved to amend as follows:

Page 2, line 6, insert brackets before the word "three" and after the word "commissioners," and insert after the word "commissioners" the following in italics: "one fire commissioner who shall receive a salary, to be fixed by the common council, and to be paid monthly, from which salary the said commissioner shall pay a secretary or a clerk to be appointed by him."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, and, on motion of Mr. Coffey, was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 919, Int. No. 828) entitled "An act to authorize the police commissioner of the city of New York to allow a pension, from the New York police department relief fund, to Kate Mallon, the sister of Francis Mallon, a former member of such department," was read the second time.

On motion of Mr. Boylan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1077, Int. No. 968) entitled "An act to repeal chapter four hundred and thirty-two of the Laws of eighteen hundred and sixty-eight, entitled 'An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county,'" was read the second time.

On motion of Mr. Bridenbecker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 864, Int. No. 783) entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to duties of assessors," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 638, Int. No. 606) entitled "An act to authorize school district number four of the town of Ashford, Cattaraugus county, to acquire for school purposes certain lands therein heretofore used for cemetery purposes," was read the second time.

On motion of Mr. Cheney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 602, Int. No. 581) entitled "An act providing that the police commissioner of the city of New York in his discretion may reappoint Thomas G. Mellon, an ex-policeman of the city of New York, who resigned from said police department August twenty-first, eighteen hundred and ninety-five," was read the second time.

On motion of Mr. Egan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 716, Int. No. 187) entitled "An act to amend the Greater New York charter, relative to the number of deputies in the department of docks and ferries," having been announced for a second reading,

On motion of Mr. Foley, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1063, Int. No. 957) entitled "An act to amend chapter two hundred and ninety-eight of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to the distribution of advertising matter in the city of New York,' in relation to such city as now constituted," was read the second time.

On motion of Mr. Fry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1194, Int. No. 1029) entitled "An act to amend the Labor Law, in relation to bakeries," was read the second time.

On motion of Mr. Geatons, said bill was placed on the order of third reading.

On motion of Mr. Geatons, said bill was recommitted to the committee on labor and industries, retaining its place on the order of third reading.

The bill (No. 892, Int. No. 802) entitled "An act to amend the Greater New York charter, relative to proceedings taken by commissioner of docks," having been announced for a second reading,

On motion of Mr. Foley, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 316, Int. No. 315) entitled "An act to repeal certain sections of the Education Law, relating to the division of union free school districts," having been announced, Mr. Patrie moved to amend as follows:

Page 1, line 2, omit first word "and" and insert comma. Also after word "thirty-two" insert "one hundred and thirty-four", omit "twenty-one" and insert "one hundred and fourteen".

Page 1, line 3, omit word "nine" and insert "ten".

Lines 3, 4, 5, strike out "An act relating to education, con-

stituting chapter sixteen of the Consolidated Laws", and insert "An act to amend the Education Law, generally".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 1034, Int. No. 930) entitled "An act to amend the Labor Law, relating to definitions," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 992, Int. No. 893) entitled "An act to amend the Labor Law, in relation to the lighting of factories," was read the second time.

On motion of Mr. Kopp, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1067, Int. No. 961) entitled "An act to amend the Highway Law, in relation to the description of route thirty-two to be constructed or improved by the State," was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1039, Int. No. 935) entitled "An act to amend the Labor Law, in relation to powers of the Commissioner of Labor," having been announced for a second reading,

On motion of Mr. Wende, and by unanimous consent, said bill was ordered placed on the second reading calendar for Thursday next.

The bill (No. 858, Int. No. 777) entitled "An act to amend chapter nine of the Laws of eighteen hundred and eighty-four, entitled 'An act to incorporate the Reynolds' Library in the city of Rochester,' in relation to times for holding regular meetings of the trustees of said library," was read the second time.

On motion of Mr. C. W. Phillips, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 622, Int. No. 594) entitled "An act to make legal, ratify and confirm the organization, acts and proceedings of union free school district number two of the town of Brookhaven, county of Suffolk, its board of education, officers and agents, in

the matter of the issuance and sale of the bonds of said district, dated September first, nineteen hundred and ten, issued partly for the construction of a new schoolhouse in said district and partly for the purchase of a site therefor, to validate said bonds and provide for the raising of funds for their payment by taxation in said district," was read the second time.

On motion of Mr. Sheide, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 820, Int. No. 748) entitled "An act to amend chapter eighty-three of the Laws of nineteen hundred and one, entitled 'An act to provide for the improvement of the public highways in the county of Orange,' in relation to the rate of interest on the bonds to be issued under such act," was read the second time.

On motion of Mr. Stivers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 821, Int. No. 749) entitled "An act to amend chapter two hundred and thirteen of the Laws of nineteen hundred and four, entitled 'An act to make the office of county clerk of Orange county a salaried office, and regulating the management of said office, and fixing the salary of said clerk and his assistants,' in relation to payments by said clerk into the treasury of said county of moneys received by him, less his disbursements," was read the second time.

On motion of Mr. Stivers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1212, Int. No. 1047) entitled "An act to amend chapter five hundred and seventy-two of the Laws of nineteen hundred and two, entitled 'An act to revise and amend an act to incorporate the city of Middletown and the acts amendatory thereof,' generally," was read the second time.

On motion of Mr. Stivers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 937, Int. No. 846) entitled "An act to amend the Labor Law, in relation to the materials and labor used in and upon public work," having been announced for a second reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 911, Int. No. 822) entitled "An act to amend the County Law, in relation to official publications in Ulster county," was read the second time.

On motion of Mr. Washburn, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 612, Rec. No. 66) entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of the claims of Arthur C. Quinn, Thomas Kenny and John Kearney, for services rendered to the county of Kings, in the discretion of such board," was read the second time.

On motion of Mr. Donnelly, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 487, Rec. No. 42) entitled "An act to amend chapter two hundred and forty of the Laws of nineteen hundred and three, entitled 'An act to authorize the city of Buffalo to acquire lands, by purchase or otherwise, for the construction, maintenance, control and operation of a system of waterworks, and to issue its bonds to carry out such purpose,' generally," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 594, Rec. No. 61) entitled "An act to revise an act inadvertently repealed by chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,'" was read the second time.

On motion of Mr. Adler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1018, Int. No. 34) entitled "An act to amend the Highway Law, relative to a renewal license of chauffeurs," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 113
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	McElligott	Shepardson
Ahern	Day	Herrick W R	McKeon	Shortt
Allen	DeLano	Heyman	Merritt	Smith A E
Beach	Donnelly	Higgins	Miller	Stivers
Blauvelt	Donovan	Hinman	Mork	Sullivan
Boylan	Ebbetts	Hoey	Murray	Sweet
Brace	Egan	Hoff	Myers	Talmage
Brennan	Farrell	Hollmann	Neupert	Terry
Bridenbecker	Fay	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Bryant	Foley	Jackson	O'Neill J J	Walker
Bush	Friedman	Jameson	O'Neil M A	Waring
Butler	Fry	Jones	Pappert	Washburn
Carew	Geatons	Kennedy	Parker A	Waters F A
Caughlan	Gerhardt	Kopp	Patrie	Weil
Chanler	Goldstein	Lansing	Phillips J S	Wende
Cheney	Goodwin	LaReau	Pierce	White
Coffey	Gould	Lent	Saunders	Wheeler
Collin	Gregg	Levy J	Seeley	Wilson
Colné	Gurnett	Manley	Shannon	Winters
Connell	Hackett	Martin	Shea	Yale
Constantine	Hart	McCue	Sheide	Young
Cuvillier	Hammond	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1162, Int. No. 787) entitled "An act to amend chapter one hundred and seventy-three of the Laws of eighteen hundred and ninety-five, entitled 'An act fixing the fiscal year, providing for a county auditor, and regulating the purchase of supplies for the county institutions and officers of the county of Erie,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 113
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	McElligott	Shepardson
Ahern	Day	Herrick W R	McKeon	Shortt
Allen	DeLano	Heyman	Merritt	Smith A E
Beach	Donnelly	Higgins	Miller	Stivers
Blauvelt	Donovan	Hinman	Mork	Sullivan

Boylan	Ebbetts	Hoey	Murray	Sweet
Brace	Egan	Hoff	Myers	Talmage
Brennan	Farrell	Hollmann	Neupert	Terry
Bridenbecker	Fay	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Bryant	Foley	Jackson	O'Neill J J	Walker
Bush	Friedman	Jameson	O'Neil M A	Waring
Butler	Fry	Jones	Pappert	Washburn
Carew	Geatons	Kennedy	Parker A	Waters F A
Caughlan	Gerhardt	Kopp	Patrie	Weil
Chanler	Goldstein	Lansing	Phillips J S	Wende
Cheney	Goodwin	LaReau	Pierce	Wheeler
Coffey	Gould	Lent	Saunders	White
Collin	Gregg	Levy J	Seeley	Wilson
Colné	Gurnett	Manley	Shannon	Winters
Connell	Hackett	Martin	Shea	Yale
Constantine	Hart	McCue	Sheide	Young
Cuvillier	Hammond	McDaniels		113

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1223, Int. No. 56) entitled "An act to amend, consolidate and revise the several acts relative to the city of Amsterdam," having been announced,

Mr. Foley moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

Page 49, line 11, strike out the words "No liability for injury on" and insert in place thereof the following: "Designation and working of".

Same page, line 16, beginning with the words "The city" strike out all matter in lines 16, 17, 18, 19 and 20.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, reported said bill amended, as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1097, Int. No. 459) entitled "An act to amend the General Business Law, in relation to the certification of public accountants," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 112
NOES 1

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	McDaniels	Shepardson
Ahern	Day	Herrick W R	McElligott	Shortt
Allen	DeLano	Heyman	McKeon	Smith A E
Beach	Donnelly	Higgins	Merritt	Stivers
Blauvelt	Donovan	Hinman	Miller	Sullivan
Boylan	Ebbetts	Hoey	Mork	Sweet
Brace	Egan	Hoff	Myers	Talmage
Brennan	Farrell	Hollmann	Neupert	Terry
Bridenbecker	Fay	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Bryant	Foley	Jackson	O'Neill J J	Walker
Bush	Friedman	Jameson	O'Neil M A	Waring
Butler	Fry	Jones	Pappert	Washburn
Carew	Geatons	Kennedy	Parker A	Waters F A
Caughlan	Gerhardt	Kopp	Patrie	Weil
Chanler	Goldstein	Lansing	Phillips J S	Wende
Cheney	Goodwin	LaReau	Pierce	Wheeler
Coffey	Gould	Lent	Saunders	White
Collin	Gregg	Levy J	Seeley	Wilson
Colné	Gurnett	Manley	Shannon	Winters
Connell	Hackett	Martin	Shea	Yale
Constantine	Hart	McCue	Sheide	Young
Cuvillier	Hammond			112

In the negative:

Murray 1

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 496, Int. No. 485) entitled "An act to release to Alfredo Barili all of the right, title and interest of the people of the State of New York in and to certain real estate situated in the city of Yonkers, county of Westchester, and State of New York acquired by escheat or otherwise upon the death of Carlo Scola and Carlo Scola, his son," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 114
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	McElligott	Shlivek
Ahern	Day	Herrick W R	McKeon	Shortt
Allen	DeLano	Heyman	Merritt	Smith A E
Beach	Donnelly	Higgins	Miller	Stivers
Blauvelt	Donovan	Hinman	Mork	Sullivan
Boylan	Ebbetts	Hoey	Murray	Sweet
Brace	Egan	Hoff	Myers	Talmage
Brennan	Farrell	Hollmann	Neupert	Terry
Bridenbecker	Fay	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Bryant	Foley	Jackson	O'Neill J J	Walker
Bush	Friedman	Jameson	O'Neil M A	Warren
Butler	Fry	Jones	Pappert	Washburn
Carew	Geatons	Kennedy	Parker A	Waters F A
Caughlan	Gerhardt	Kopp	Patrie	Weil
Chanler	Goldstein	Lansing	Phillips J S	Wende
Cheney	Goodwin	LaReau	Pierce	Wheeler
Coffey	Gould	Lent	Saunders	White
Collin	Gregg	Levy J	Seeley	Wilson
Colné	Gurnett	Manley	Shannon	Winters
Connell	Hackett	Martin	Shea	Yale
Constantien	Hart	McCue	Sheide	Young
Cuvillier	Hammond	McDaniels	Shepardson	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1182, Int. No. 109) entitled "An act to amend the Tax Law, in relation to the time in which an application for a refund of tax may be made," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 113
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	McElligott	Shepardson
Ahern	Day	Herrick W R	McKeon	Shortt
Allen	DeLano	Heyman	Merritt	Smith A E
Beach	Donnelly	Higgins	Miller	Sullivan
Blauvelt	Donovan	Hinman	Mork	Sweet
Boylan	Ebbetts	Hoey	Murray	Talmage
Brace	Evans	Hoff	Myers	Terry
Brennan	Farrell	Hollmann	Neupert	Trombly
Bridenbecker	Fay	Hoyt	Nolan	Turley
Brooks	Fitzpatrick	Huber	O'Connor	Walker
Bryant	Foley	Jackson	O'Neill J J	Ward

Bush	Friedman	Jameson	O'Neil M A	Waring
Butler	Fry	Jones	Pappert	Washburn
Carew	Geatons	Kennedy	Parker A	Waters F A
Caughlan	Gerhardt	Kopp	Patrie	Weil
Chanler	Goldstein	Lansing	Phillips J S	Wende
Cheney	Goodwin	LaReau	Pierce	Wheeler
Coffey	Gould	Lent	Saunders	White
Collin	Gregg	Levy J	Seeley	Wilson
Colné	Gurnett	Manley	Shannon	Winters
Connell	Hackett	Martin	Shea	Yale
Constantine	Hart	McCue	Sheide	Young
Cuvillier	Hammcnd	McDaniels		113

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 901, Int. No. 811) entitled "An act to amend the Code of Civil Procedure, in relation to the sale of real property pursuant to a judgment," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 112
NOES 1

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	McDaniels	Shepardson
Ahern	Day	Herrick W R	McElligott	Shortt
Allen	DeLano	Heyman	McKeon	Smith A E
Beach	Donnelly	Higgins	Merritt	Stivers
Blauvelt	Donovan	Hinman	Miller	Sullivan
Boylan	Ebbetts	Hoey	Mork	Sweet
Brace	Egan	Hoff	Myers	Talmage
Brennan	Farrell	Hollmann	Neupert	Terry
Bridenbecker	Fay	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Bryant	Foley	Jackson	O'Neill J J	Walker
Bush	Friedman	Jameson	O'Neil M A	Waring
Butler	Fry	Jones	Pappert	Washburn
Carew	Geatons	Kennedy	Parker A	Waters F A
Caughlan	Gerhardt	Kopp	Patrie	Weil
Chanler	Goldstein	Lansing	Phillips J S	Wende
Cheney	Goodwin	LaReau	Pierce	Wheeler
Coffey	Gould	Lent	Saunders	White
Collin	Gregg	Levy J	Seeley	Wilson
Colné	Gurnett	Manley	Shannon	Winters
Connell	Hackett	Martin	Shea	Yale
Constantine	Hart	McCue	Sheide	Young
Cuvillier	Hammond			113

In the negative:

Murray	1

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1183, Int. No. 490) entitled "An act to amend the Code of Civil Procedure, in relation to motions for new trials," having been announced for a third reading,

On motion of Mr. McElligott, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1185, Int. No. 740) entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to bail in magistrates' courts in said city," having been announced for a third reading,

On motion of Mr. Spielberg, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate returned the Assembly bill (No. 645, Senate Reprint No. 736, Int. No. 134), entitled "An act to amend the Agricultural Law, in relation to the definition of the terms 'butter' and 'cheese,'" with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 7, after the word "without" insert the words "coloring matter" in italics.

Mr. Shepardson moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 113
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herlick J J	McElligott	Shepardson
Ahern	Day	Herrick W R	McKeon	Shortt
Allen	DeLano	Heyman	Merritt	Smith A E
Beach	Donnelly	Higgins	Miller	Stivers
Blauvelt	Donovan	Hinman	Mork	Sullivan
Boylan	Ebbetts	Hoey	Murray	Sweet
Brace	Egan	Hoff	Myers	Talmage

Brennan	Farrell	Hollmann	Neupert	Terry
Bridenbecker	Fay	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Bryant	Foley	Jackson	O'Neill J J	Walker
Bush	Friedman	Jameson	O'Neil M A	Waring
Butler	Fry	Jones	Pappert	Washburn
Carew	Geatons	Kennedy	Parker A	Waters F A
Caughlan	Gerhardt	Kopp	Patrie	Weil
Chanler	Goldstein	Lansing	Phillips J S	Wende
Cheney	Goodwin	LaReau	Pierce	Wheeler
Coffey	Gould	Lent	Saunders	White
Collin	Gregg	Levy J	Seeley	Wilson
Colné	Gurnett	Manley	Shannon	Winters
Connell	Hackett	Martin	Shea	Yale
Constantine	Hart	McCue	Sheide	Young
Cuvillier	Hammond	McDaniels		113

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 45, Senate Reprint No. 778, Int. No. 45), entitled "An act to legalize the official acts of certain justices of the peace and authorizing them to execute and file the official bonds and official oaths and certificate," with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, strike out the period at end of section one and insert the following: "or any action or proceeding begun within ten days of the taking of such oath, filing of such bond or undertaking or filing of such certificate prescribed by said Town Law."

Mr. Patrie moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 113
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	McElligott	Shepardson
Ahern	Day	Herrick W R	McKeon	Shortt
Allen	DeLano	Heyman	Merritt	Smith A E
Beach	Donnelly	Higgins	Miller	Stivers
Blauvelt	Donovan	Hinman	Mork	Sullivan
Boylan	Ebbetts	Hoey	Murray	Sweet
Brace	Egan	Hoff	Myers	Talmage

Brennan	Farrell	Hollmann	Neupert	Terry
Bridenbecker	Fay	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Bryant	Foley	Jackson	O'Neill J J	Walker
Bush	Friedman	Jameson	O'Neil M A	Waring
Butler	Fry	Jones	Pappert	Washburn
Carew	Geatons	Kennedy	Parker A	Waters F A
Caughlan	Gerhardt	Kopp	Patrie	Weil
Chanler	Goldstein	Lansing	Phillips J S	Wende
Cheney	Goodwin	LaReau	Pierce	Wheeler
Coffey	Gould	Lent	Saunders	White
Collin	Gregg	Levy J	Seeley	Wilson
Colné	Gurnett	Manley	Shannon	Winters
Connell	Hackett	Martin	Shea	Yale
Constantine	Hart	McCue	Sheide	Young
Cuvillier	Hammond	McDaniels		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

Mr. Miller offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 877, Int. No. 277), entitled "An act to amend the Agricultural Law, in relation to cider vinegar," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

By unanimous consent, Mr. Brennan, from the committee on privileges and elections, submitted the following report:

STATE OF NEW YORK — IN ASSEMBLY.

In the matter of the contest of Jacob Kostman to the seat of Harold Spielberg, Member of Assembly from the Tenth Assembly District, of the borough of Manhattan, county of New York.

To the Honorable Assembly of the State of New York:

YOUR committee on privileges and elections, to whom was referred the above-named contest, begs leave to submit the following report:

That notice of contest was filed with the Clerk of the Assembly and referred to your committee January 23, 1911.

That the complaint which was filed and served herein states the following grounds of contest:

I. That during all the times hereinafter mentioned, the contestant was and still is a resident of the borough of Manhattan, city of New York, a citizen of the United States, and as such was a duly qualified candidate for Member of Assembly of the Tenth Assembly District, in and for the county of New York.

II. That in or about the month of October, 1910, at a convention regularly and duly held at 40 Second avenue, in the borough of Manhattan, city of New York, this contestant was duly nominated in conformity with the Primary Election Law, by the delegates duly chosen in conformity with said Primary Election Law, and did nominate as the Republican candidate for Member of Assembly of the Tenth Assembly District of New York, Jacob Kostman.

III. That thereupon, the said Jacob Kostman, having been notified of the said nomination tendered to him, did duly accept said nomination, and signified in writing his intention to accept the said office of Member of Assembly of the Tenth Assembly District of New York county.

IV. That thereafter, and on the 8th day of November, 1910, at the general election held in the Tenth Assembly District of the county of New York, one Harold Spielberg was, as a result of said election, declared elected to the office of Member of Assembly of the Tenth Assembly District of New York county.

FOR A FIRST, SEPARATE AND DISTINCT CAUSE OF ACTION, THIS CONTESTANT ALLEGES:

First: That prior to the 8th day of November, 1910, one Edward Gross was placed in nomination by the Civic Alliance of the Tenth Assembly District of New York county, a political body, formed in conformity with the Primary Election Law. That the nomination of the said Edward Gross was brought about as this contestant is informed and verily believes, through improper conduct, in that the date set for the nomination of Member of Assembly under the Civic Alliance was held contrary to law, and was adjourned, from time to time, without notice, and without a proper record, for the reason that it was commonly known amongst the delegates that the choice of the Civic Alliance Convention was Jacob Kostman, and that by reason of said improper conduct, the name of Edward Gross was submitted, and was acted upon contrary to the provisions of the Election Law, and that as a result thereof, said Jacob Kostman was deprived of the nomination of the Member of Assembly under the Civic Alliance.

FOR A SECOND CAUSE OF ACTION, THIS CONTESTANT ALLEGES:

Second: Upon information and belief, in or about the month of October, 1910, at which time there was being held in the city

of New York, conventions to nominate Member of Assembly, that Harold Spielberg caused to be sent to the delegates of the Civil Alliance, various persons, who, by means of device and improper conduct, interfered with the said delegates, and the majority of them, who had been previously advocating the selection of Jacob Kostman as candidate under the Civic Alliance, and that by improper conduct on the part of the said agents, servants or representatives of said Harold Spielberg, Jacob Kostman was deprived of the nomination of the Civic Alliance for the office of Member of Assembly.

FOR A THIRD, SEPARATE AND SPECIAL CAUSE OF ACTION, CONTESTANT ALLEGES:

Third: That in or about the month of November, 1910, prior to the date set for the nomination, and prior to the 8th day of November, 1910, Harold Spielberg made and entered into a wager, with a certain person, and that the making of the said waged by the said Spielberg, over the result of the election, was illegal.

FOR A FOURTH, SEPARATE CAUSE OF ACTION, CONTESTANT ALLEGES:

Fourth: Upon information and belief, that on the 8th day of November, 1910, when the ballots were being counted in several of the districts of the Tenth Assembly District, there were ballots counted for void, which, in fact, were good, and that in many instances, ballots were improperly and incorrectly counted, to the injury of this contestant.

Wherefore, This contestant prays that Harold Spielberg be declared illegally elected, and that Jacob Kostman, the contestant herein, be declared elected as Member of Assembly of the Tenth Assembly District of the county of New York, and for such other and further relief in the matter as is proper.

That Harold Spielberg, the respondent herein, for his answer to said petition shows and alleges:

I. He denies that he has any knowledge or information sufficient to form a belief as to the allegations contained in the paragraph marked "I" of the alleged complaint.

II. He denies that he has any knowledge or information sufficient to form a belief as to the allegations contained in the paragraphs marked or numbered "II" and "III" of the alleged complaint.

III. He admits the allegations contained in the paragraph marked or numbered "IV" of the alleged complaint.

IV. He admits so much of paragraph first of the first cause of action which alleges "that prior to the 8th day of November, 1910, one Edward Gross was placed in nomination by the Independence League of the Tenth Assembly District of New York county, a political body, formed in conformity with the Primary Election Law. But this respondent denies that the nomination of the said Edward Gross was brought about through improper conduct, in that the date set for the nomination of Member of Assembly under the Independence League was held contrary to law, and was adjourned, from time to time, without notice, and without a proper record, for the reason that it was commonly known amongst the delegates that the choice of the Independence League was Jacob Kostman, and that by reason of said improper conduct the name of Edward Gross was submitted, and was acted upon contrary to the provisions of the Election Law, and that as a result thereof said Jacob Kostman was deprived of the nomination of the Member of Assembly under the Independence League," as is alleged in the first separate and distinct cause of action of the complaint.

V. This respondent, Harold Spielberg, denies the allegations contained in the paragraphs marked or numbered "third," "fourth" and "fifth" separate and special causes of action of the complaint.

VI. Further answering said complaint, and for a further separate and distinct defense to this action, this respondent alleges:

That he was duly, legally and regularly elected as Member of Assembly for the Tenth Assembly District, New York county, State of New York, by a plurality of the voters thereof, that said election was conducted in a decent, legal and orderly manner and according to law.

VII. Further answering said alleged complaint, and for a further separate and distinct defense to this action, this respondent, Harold Spielberg, alleges:

That the convention held by the Independence League Party was duly and legally constituted and organized and held according to law and that Edward Gross was the duly, legally nominated candidate of said Independence League Party, and that as such nominee of said party he was the unanimous choice of the delegates, expressed by them of their own free will and without any fraud, duress or intimidation on the part of this respondent or any one else.

Wherefore, This respondent, Harold Spielberg, prays that your Honorable Body declare him legally elected as Member of Assembly for the Tenth Assembly District, New York county, State of New York, and he also prays that the complaint of the said Jacob Kostman be dismissed, and that your Honorable Body grant

him such other and further relief in the premises as may be just and proper.

That your committee held meetings for the consideration of said contest January 28th, February 4th, 11th, 18th, 25th, and March 4th and 11th, receiving evidence therein and argument of counsel upon the points of law involved.

That the contestant was represented by Samuel Hoffman of 320 Broadway, New York city, and the contestee by Leopold W. Hasburger of 140 Nassau street, New York city.

That after the joinder of issue your committee proceeded to review said petition and answer and to hear argument of counsel and to receive evidence in support of said allegations of the contestant. Upon due deliberation and consideration of the evidence submitted your committee finds that the contestant has failed to establish proof to his right to the seat now held by Harold Spielberg from the Tenth Assembly District, borough of Manhattan, county of New York, and that said Harold Spielberg was duly elected to said office and is entitled to such seat for a period of one year beginning January 1, 1911, and ending December 31, 1911, and your committee would, therefore, recommend that a resolution be passed to carry into effect the findings of this report.

All of which is respectfully submitted.

Dated Albany, N. Y., March, 1911.

THOMAS A. BRENNAN,
Chairman.
JOHN J. HERRICK,
PETER P. McELLIGOTT,
JOHN J. McKEON,
HARRY KOPP,
EDWARD A. EBBETS,
ANDREW ZORN,
WILLIAM J. GILLEN.

which report was agreed to.

By unanimous consent, Mr. Brennan, from the committee on privileges and elections, presented the following report:

STATE OF NEW YORK — IN ASSEMBLY.

In the matter of the contest of John W. Kenny to the seat of Robert B. Waters, Member of Assembly in the Third Assembly District of the county of Albany.

To the Honorable Assembly of the State of New York:

Your committee on privileges and elections, to whom was referred the above-named contest, begs leave to submit the following report:

That notice of contest was filed with the Clerk of the Assembly and referred to your committee January 4, 1911.

That upon February 14, 1911, the contestant filed his petition as follows:

First: Your petitioner resides in the city of Watervliet, county of Albany, and State of New York, and was regularly nominated for and his name appeared upon the official ballot as a candidate for the office of Member of Assembly in and for the Third Assembly District of the county of Albany on the general election, held on the 8th day of November, 1910. That your petitioner and one Robert B. Waters were the two candidates receiving the highest number of votes in said Assembly district for office of Member of Assembly. That upon the face of the returns your petitioner received 6,331 votes for said office and the said Robert B. Waters 6,474 votes, which upon the face of the returns gave to the said Robert B. Waters a plurality of 143 votes, and your petitioner understands and believes that the said Robert B. Waters has received a certificate to said office and that his name will appear upon the roll of membership of your Honorable Body at the time of your organization.

Second: Upon information and belief, that the certificate of election so issued to the said Robert B. Waters is erroneous for the reason that the said Robert B. Waters did not receive a plurality of the votes cast for said office at said election but his apparent plurality was obtained through flagrant violations of the election laws and statutes of this State and corrupt and unlawful colonizing and intimidating of voters and through votes cast for him by persons not legally entitled to register and vote in said Assembly district and by resorting to various unlawful practices and acts, which deprived your petitioner of obtaining a plurality of the votes honorably and lawfully cast at said election, because of all of which your petitioner protests against allowing the said Robert B. Waters to be allowed to retain his seat in your Honorable Body and petitions that the seat in your Honorable Body to which the Third Assembly District of Albany county is entitled be awarded to your petitioner.

Third: That in support of your petitioner's claim to said seat your petitioner alleges, upon information and belief, that in a number of the election districts embraced in said Assembly district the returns made by the respective boards of inspectors and canvassed by the official boards of canvassers are erroneous and incomplete.

Fourth: Your petitioner further alleges, upon information and belief, that in a number of said election districts in said Assembly district ballots which were illegal and void were treated as valid

and counted for the said Robert B. Waters and ballots, which were legal and valid, and which contained votes for your petitioner were declared void and returned without any votes being counted thereon for your petitioner.

Fifth: Your petitioner further alleges, upon information and belief, that in a number of the election districts in said Assembly district persons intending to vote for your petitioner were intimidated and made to vote for his opponent and in others of said election districts gross frauds were perpetrated in the registration of electors and the casting of votes, and great numbers of persons not legally entitled to vote in said districts were allowed to and did vote for the said Robert B. Waters, and that all of the said votes so illegally cast and illegally counted for the said Robert B. Waters amounted in the aggregate to upwards of 200 votes.

Sixth: Your petitioner further alleges that in a great number of the election districts comprised in said Assembly district the returns as canvassed by the county board of canvassers and accepted by the said board of canvassers differed materially from the returns made by the boards of inspectors for said districts, in which gross discrepancies and errors occur.

Seventh: Your petitioner further alleges, upon information and belief, that because of the above frauds, unlawful practices and irregularities, your petitioner has been deprived of a plurality upon the face of the returns, which plurality to which your petitioner is legally entitled will be upwards of seventy-five votes.

Wherefore, Your petitioner prays your Honorable Body that the seat of the Member of Assembly in the Assembly of the State of New York in and for the Third Assembly District for the county of Albany be declared to be legally the seat of your petitioner and that the said Robert B. Waters be unseated and said seat awarded to your petitioner as the only person honestly and legally entitled thereto.

That upon February 21st the contestee filed with the committee the following request for a bill of particulars:

Robert B. Waters hereby requests that the petitioner, John W. Kenny, be required to furnish the following particulars or specifications in respect to the charges contained in the petition herein, as follows:

First: (a) The particular election district or districts in which it is charged that the plurality of votes received by Robert B. Waters were obtained through flagrant violations of the election laws and statutes of this State and through corrupt and unlawful colonizing and intimidation of voters and through votes cast by persons not legally entitled to register and vote and by various unlawful practices and acts.

(b) Also the particular election district or districts in which the returns were erroneous and incomplete.

(c) Also the particular district or districts in which illegal and void ballots were counted for Robert B. Waters and those in which legal and valid ballots for John W. Kenny were declared void and rejected.

(d) Also the particular district or districts in which persons intending to vote for John W. Kenny were intimidated and made to vote for his opponent, and in which gross frauds were perpetrated in the registration of electors and in which a great number of persons not legally entitled to vote were allowed to vote for Robert B. Waters.

(e) Also the particular district or districts in which the returns as canvassed by the county board of canvassers differed materially from the returns made by the boards of inspectors.

Second: A statement of the several alleged flagrant violations of the Election Law as charged in paragraph numbered "Second" of the petition, and of the instances of alleged unlawful colonizing and intimidating of voters as in said paragraph charged.

Third: A statement of the particulars in respect to which the returns made by the board of canvassers were erroneous and incomplete.

Fourth: A statement of the particular facts by which persons intending to vote for said Kenny were intimidated and made to vote for his opponent as alleged in paragraph numbered "Fifth" of said petition, and also a statement of the particular manner in which gross frauds were perpetrated in the registration of electors and the casting of votes as charged in said paragraph.

Fifth: A statement of the gross discrepancies and errors alleged in paragraph numbered "Sixth" to have existed in the returns canvassed by the county board of canvassers.

All of which is respectfully submitted.

That upon February 28th, the contestant herein complying with said request for a bill of particulars filed with the committee the following:

John W. Kenny, the petitioner in the above-entitled proceeding, complying with the order of the committee to furnish particulars in respect to the charges contained in the petition herein respectfully submits the following:

The petitioner shows, upon information and belief, that in the following election districts flagrant violations of the election laws and statutes of the State were committed and the returns in said districts, as canvassed by the county board of canvassers, do not agree with the returns made by the board of inspectors, nor do said returns, as made by the board of inspectors, agree with the tally

sheets in said districts. The petitioner also shows that in said districts the inspectors did not comply with the provisions of the Election Law, and that because of these violations of law and erroneous returns votes were counted and canvassed for Robert B. Waters which should not have been counted or canvassed for him, and votes were not counted and not canvassed for your petitioned to which he was entitled.

The following is a list of said districts: Second ward, second district, Cohoes; third ward, third district, Cohoes; fourth ward, first district, Cohoes; sixth ward, second district, Cohoes; fourth ward, third district, Cohoes; fifth ward, first district, Cohoes; sixth ward, first district, Cohoes; first and second districts of Green Island; second, third, fourth, fifth and sixth districts of Colonie; first and second districts of Knox; first and second districts of Berne; first, third, fourth and fifth districts of Guilderland.

All of which is respectfully submitted.

That Robert B. Waters, the respondent herein, for his answer to said petition shows and alleges:

First: Denies each and all of the allegations contained in paragraphs numbered "second," "third," "fourth," "fifth," "sixth" and "seventh" of said petition.

Second: Denies that at the general election held on the 8th day of November, 1910, at which an election for Member of Assembly was held, said John W. Kenny was elected Member of Assembly for said district and alleges that the undersigned was legally elected such member for said district, and is legally entitled to hold and retain his said seat as such member.

Third: The undersigned, further answering said petition, alleges as follows:

That at the time of the general election described in said petition, to wit, on the 8th day of November, 1910, and for more than one hundred days previous thereto, the said petitioner, John W. Kenny, was, and still is, an officer under the city government of the city of Watervliet within the said Third Assembly District, duly elected as a justice of the peace of said city under the provisions of the charter of said city (Laws 1896, chapter 905) for the term commencing January 1, 1909, and ending December 31, 1912.

That said John W. Kenny duly accepted the said election and office and duly qualified as such justice of the peace as aforesaid, and was at the said times an officer of said city government and therefore ineligible for election to the Assembly of the State of New York by reason of the provisions of article III, section 8, of the Constitution of the State of New York, whereby it is provided as follows:

"No person shall be eligible to the legislature, who at the time of his election, is, or within one hundred days previous thereto has been, a member of congress, a civil or military officer under the United States, or an officer under any city government. And if any person shall, after his election as a member of the legislature, be elected to congress, or appointed to any office, civil or military, under the government of the United States, or under any city government, his acceptance thereof shall vacate his seat."

That in case said John W. Kenny had received a plurality of the votes so cast at said election he would nevertheless be ineligible to hold the said office of Member of Assembly for said district by reason of the facts aforesaid, and could not be awarded, nor could he hold, the seat so claimed by him herein.

All of which is respectfully submitted.

That the contestant was represented by Messrs. Frost, Daring and Warner of Albany, N. Y., and the contestee by Albert J. Danaher.

That after the joinder of issue your committee proceeded to review said petition and answer and to hear argument of counsel thereon and to receive evidence in support of the allegations of the contestant. Upon due deliberation and careful consideration of the evidence and the various questions submitted your committee finds that the contestant has failed to establish proof to his right to the seat now held by Robert B. Waters from the Third Assembly District of the county of Albany and that said Robert B. Waters was duly elected to said office and is entitled to such seat for the period of one year beginning January 1, 1911, and ending December 31, 1911, and your committee would, therefore, recommend that a resolution be passed to carry into effect the findings of this report.

All of which is respectfuly submitted.

THOMAS A. BRENNAN,
Chairman.
JOHN J. HERRICK,
PETER P. McELLIGOTT,
HARRY KOPP,
WILLIAM J. GILLEN,
E. A. EBBETS,
ANDREW ZORN,
JOHN J. McKEON.

which report was agreed to.

Mr. Brennan offered for the consideration of the House a resolution, in the words following:

Resolved, That Hon. Harold Spielberg was duly elected and is entitled to hold the seat now occupied by him in the Assembly,

State of New York, as a representative of the Tenth Assembly District, borough of Manhattan, county of New York, from the 1st day of January, 1911, to the 1st day of January, 1912.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 113
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	McElligott	Shepardson
Ahern	Day	Herrick W R	McKeon	Shortt
Allen	DeLano	Heyman	Merritt	Smith A E
Beach	Donnelly	Higgins	Miller	Stivers
Blauvelt	Donovan	Hinman	Mork	Sullivan
Boylan	Ebbetts	Hoey	Murray	Sweet
Brace	Egan	Hoff	Myers	Talmage
Brennan	Farrell	Hollmann	Neupert	Terry
Bridenbecker	Fay	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Bryant	Foley	Jackson	O'Neill J J	Waring
Bush	Friedman	Jameson	O'Neil M A	Washburn
Butler	Fry	Jones	Pappert	Waters F A
Carew	Geatons	Kennedy	Parker A	Waters R B
Caughlan	Gerhardt	Kopp	Patrie	Weil
Chanler	Goldstein	Lansing	Phillips J S	Wende
Cheney	Goodwin	LaReau	Pierce	Wheeler
Coffey	Gould	Lent	Saunders	White
Collin	Gregg	Levy J	Seeley	Wilson
Colné	Gurnett	Manley	Shannon	Winters
Connell	Hackett	Martin	Shea	Yale
Constantine	Hart	McCue	Sheide	Young
Cuvillier	Hammond	McDaniels		

Mr. Brennan offered for the consideration of the House a resolution, in the words following:

Resolved, That Hon. Robert B. Waters was duly elected and is entitled to hold the seat now occupied by him in the Assembly, State of New York, as a representative of the Third Assembly District in the county of Albany, from the 1st day of January, 1911, to the 1st day of January, 1912.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 113
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Herrick J J	McElligott	Shepardson
Ahern	Day	Herrick W R	McKeon	Shortt
Allen	DeLano	Heyman	Merritt	Smith A E
Beach	Donnelly	Higgins	Miller	Stivers
Blauvelt	Donovan	Hinman	Mork	Sullivan
Boylan	Ebbetts	Hoey	Murray	Sweet
Brace	Egan	Hoff	Myers	Talmage
Brennan	Farrell	Hollmann	Neupert	Terry
Bridenbecker	Fay	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Bryant	Foley	Jackson	O'Neill J J	Walker
Bush	Friedman	Jameson	O'Neil M A	Waring
Butler	Fry	Jones	Pappert	Washburn
Carew	Geatons	Kennedy	Parker A	Waters F A
Caughlan	Gerhardt	Kopp	Patrie	Weil
Chanler	Goldstein	Lansing	Phillips J S	Wende
Cheney	Goodwin	LaReau	Pierce	Wheeler
Coffey	Gould	Lent	Saunders	White
Collin	Gregg	Levy J	Seeley	Wilson
Colné	Gurnett	Manley	Shannon	Winters
Connell	Hackett	Martin	Shea	Yale
Constantine	Hart	McCue	Sheide	Young
Cuvillier	Hammond	McDaniels		

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *March* 22, 1911.

Whereas, The approaching 12th day of April, in the year nineteen hundred and eleven, marks the close of a half century from the day that ushered in the greatest civil conflict of modern times, and

Whereas, It is fitting that the legislative bodies of this great State indicate in some appropriate manner their sense of the historic importance of the day, and

Whereas, The military commanders who attained the greatest renown in the civil war, and who lent the greatest glory to a cause which preserved the union, have all passed away save one, the Hon. Daniel E. Sickles, therefore be it

Resolved (if the Assembly concur), That the twelfth day of April, nineteen hundred and eleven, at eight-thirty o'clock in the evening, be hereby set apart for exercises by the Legislature in joint assemblage, commemorative of the day, and that General Sickles be urgently requested to address the Legislature at that time, and be it further

Resolved, That a committee of five Senators be appointed by

the Lieutenant-Governor and five Assemblymen by the Speaker of the Assembly, to complete the arrangements.

By order of the Senate,

PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 877, Int. No. 277), entitled "An act to amend the Agricultural Law, in relation to cider vinegar," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. A. E. Smith, the House adjourned until Friday, March 24th, at 11 o'clock A. M.

FRIDAY, MARCH 24, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. Oliver, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Fourth Annual Report of the Jewish Protectory and Aid Society, which was laid upon the table and ordered printed.

(See Assembly Document No. 43.)

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' with regard to the election and qualification of

judges of said court" (No. 145, Rec. No. 95), which was read the first time and referred to the committee on the judiciary.

Mr. Farrell introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the chief clerk, and clerks of the magistrates' courts of such city" (Int. No. 1177), which was read the first time and referred to the committee on codes.

Mr. Fay introduced a bill entitled "An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to the adoption of routes" (Int. No. 1178), which was read the first time and referred to the committee on railroads.

Mr. Fitzpatrick introduced a bill entitled "An act to amend the Greater New York charter, in relation to the department of parks" (Int. No. 1179), which was read the first time and referred to the committee on affairs of cities.

Mr. Foley, by request, introduced a bill entitled "An act to amend the Penal Law, in relation to certain theatrical presentations" (Int. No. 1180), which was read the first time and referred to the committee on codes.

Mr. Fry introduced a bill entitled "An act to amend the Greater New York charter, in relation to granting franchise to railroads" (Int. No. 1181), which was read the first time and referred to the committee on affairs of cities.

Mr. Hackett introduced a bill entitled "An act to amend the Greater New York charter, in relation to eligibility in the police and fire departments" (Int. No. 1182), which was read the first time and referred to the committee on affairs of cities.

Mr. Hoff introduced a bill entitled "An act to release the interest of the State of New York in the property and estate of Emma Augusta White, deceased, to the heirs and next of kin of Benjamin F. White, deceased, and Mary White, deceased" (Int. No. 1183), which was read the first time and referred to the committee on ways and means.

Mr. Jackson introduced a bill entitled "An act to amend the Railroad Law, in relation to actions for injuries to employees" (Int. No. 1184), which was read the first time and referred to the committee on railroads.

Mr. A. J. Levy introduced a bill entitled "An act to amend chapter ninety-one of the Laws of eighteen hundred and ninety-five, entitled 'An act to amend the incorporation of the "Society of the War of Eighteen Hundred and Twelve,"' in relation as a corps to the membership, organization, management, powers and duties of such society" (Int. No. 1185), which was read the first time and referred to the committee on the judiciary.

Mr. Manley introduced a bill entitled "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at a general election to be held in the year nineteen hundred and three,' authorizing the State Engineer and Surveyor to make temporary appropriations of lands, structures and waters for the use of the improved canals" (Int. No. 1186), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at a general election to be held in the year nineteen hundred and three,' in relation to the expense of reconstructing, altering or replacing bridges, other than highway bridges, over navigable streams" (Int. No. 1187), which was read the first time and referred to the committee on ways and means.

Mr. McElligott introduced a bill entitled "An act to amend the Agricultural Law, in relation to the definition of cheese, standard for cream, herd samples, condensed milk, record of receipts of milk at milk gathering stations, the labeling of packages and bottles containing cream, and the cleaning of cans and receptacles used for transporting milk" (Int. No. 1188), which was read the first time and referred to the committee on agriculture.

Mr. Neupert introduced a bill entitled "An act to amend chap-

ter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to authority to purchase land without the city to be used as a tree and shrubbery nursery" (Int. No. 1189), which was read the first time and referred to the committee on affairs of cities.

Mr. Shortt introduced a bill entitled "An act to amend the Insurance Law, in relation to the merger or consolidation of certain health or casualty corporations" (Int. No. 1190), which was read the first time and referred to the committee on insurance.

Mr. Miller introduced a bill entitled "An act to amend the charter of the city of Oneonta, in relation to sprinkling and oiling streets in such city" (Int. No. 1191), which was read the first time and referred to the committee on affairs of cities.

Mr. A. J. Levy introduced a bill entitled "An act to amend the Greater New York charter, in relation to furnishing free spectacles or eyeglasses to school children" (Int. No. 1192), which was read the first time and referred to the committee on affairs of cities.

Mr. Lansing introduced a bill entitled "An act to amend the Highway Law, in relation to a new highway route to be improved by the State, and making an appropriation therefor" (Int. No. 1193), which was read the first time and referred to the committee on ways and means.

Mr. Goldberg introduced a bill entitled "An act to amend the Tax Law, in relation to taxable transfers and restoring the former rates of taxation thereof" (Int. No. 1194), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. O'Connor introduced a bill entitled "An act to provide for the payment by the State of the claim of Michael O'Sullivan against the Brooklyn Heights Railroad Company for materials furnished and services rendered, together with interest and costs, and making an appropriation therefor" (Int. No. 1195), which was read the first time and referred to the committee on ways and means.

Mr. Bush, from the committee on public health, to which was referred Assembly bill introduced by Mr. Carew (No. 758, Int.

No. 696), entitled "An act to amend the Public Health Law, in relation to the use of common drinking cups."

Also, Assembly bill introduced by Mr. Bush (No. 1078, Int. No. 969), entitled "An act to amend the Public Health Law, in relation to vital statistics."

Also, Assembly bill introduced by Mr. Bush (No. 528, Int. No. 513), entitled "An act to amend the Public Health Law, relative to unlawful practice of veterinary medicine," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Bush, from the committee on public health, to which was recommitted Assembly bill (No. 1116, Int. No. 276) introduced by Mr. Wende, entitled "An act to amend the Public Health Law, in relation to repapering and recalcimining walls and ceilings," reported in favor of the passage of the same, with the following amendment.

Page 2, line 4, after the word "agent" insert the word "contractor" in italics.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Bush, from the committee on public health, to which was referred Assembly bill (No. 983, Int. No. 883) introduced by Mr. Boylan, entitled "An act to amend the Public Health Law, in relation to the sale of hypodermic syringes and needles," reported in favor of the passage of the same, with the following amendments:

Page 1, line 7, after the word "retail" insert the words "or wholesale" in italics.

Page 2, line 2, after the word "retail" insert the words "or wholesale" in italics.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Cosad, from the committee on agriculture, to which was referred Assembly bill (No. 380, Int. No. 371) introduced by Mr. Wilson, entitled "An act to amend the Agricultural Law, in relation to the sale of apples, pears and peaches," reported in favor of the passage of the same, with the following amendments:

Page 3, line 18, before word "shall" insert bracket "[" and strike out "not less than".

Page 3, line 19, after " barrels " insert "] ".

Page 3, line 21, after " inches ", second occurring, insert " distance between heads twenty-six inches ".

Page 4, line 3, after " barrel " insert in italics " heretofore ".

Page 4, line 4, place brackets about word " herein ".

Page 4, line 5, after " letters " insert " or numerals ".

Page 4, line 6, after " words " insert in italics " number of quarts contained in said package ".

Page 4, line 6, inclose in brackets " short barrel ".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Education Law, relative to the New York State teachers' retirement fund for public school teachers." (No. 1300, Int. No. 377.)

"An act to amend the Personal Property Law, in relation to sales of goods." (No. 1337, Int. No. 266.)

"An act to amend the Penal Law, relative to buying or receiving stolen or wrongfully acquired property." (No. 1186, Int. No. 936.)

"An act to amend the Code of Civil Procedure, in relation to actions for negligence." (No. 1294, Int. No. 549.)

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Kopp (No. 992, Int. No. 893), entitled "An act to amend the Labor Law, in relation to the lighting of factories."

Also, the bill introduced by Mr. Jackson (No. 1034, Int. No. 930), entitled "An act to amend the Labor Law, relating to definitions."

Also, the bill introduced by Mr. Brooks (No. 441, Int. No. 432), entitled "An act to amend the General Business Law, in relation to rate of interest to be demanded or received by a pawnbroker."

Also, the bill introduced by Mr. Bush (No. 864, Int. No. 783), entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to duties of assessors."

Also, the bill introduced by Mr. Cheney (No. 638, Int. No. 606), entitled "An act to authorize school district number four of the town of Ashford, Cattaraugus county, to acquire for school purposes certain lands therein heretofore used for cemetery purposes."

Also, the bill introduced by Mr. Shortt (No. 1016, Int. No. 917), entitled "An act requiring the Board of Regents of the University of the State of New York to deliver to the State of South Carolina certain documents and records now in the State Library."

Also, the bill introduced by Mr. Boylan (No. 919, Int. No. 828), entitled "An act to authorize the police commissioner of the city of New York to allow a pension from the New York police department relief fund to Kate Mallon, the sister of Francis Mallon, a former member of such department."

Also, the bill introduced by Mr. Merritt (No. 1067, Int. No. 961), entitled "An act to amend the Highway Law, in relation to the description of route thirty-two to be constructed or improved by the State."

Also, the bill introduced by Mr. Egan (No. 602, Int. No. 581), entitled "An act providing that the police commissioner of the city of New York in his discretion may reappoint Thomas G. Mellon, an ex-policeman of the city of New York, who resigned from said police department August twenty-first, eighteen hundred and ninety-five."

Also, the bill introduced by Mr. Fry (No. 1063, Int. No. 957), entitled "An act to amend chapter two hundred and ninety-eight of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to the distribution of advertising matter in the city of New York,' in relation to such city as now constituted," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

The bill (No. 763, Int. No. 701) entitled "An act to erect the county of the Bronx from the territory now comprised within the limits of the borough of the Bronx in the city of New York as constituted by chapter three hundred and seventy-eight of the Laws of eighteen hundred and ninety-seven and all acts amendatory thereof and supplemental thereto," was read the second time.

On motion of Mr. Mork, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1273, Int. No. 256) entitled "An act to amend the Personal Property Law, in relation to the application of funds collected for charitable or benevolent purposes," was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 122, Int. No. 121) entitled "An act to amend the Code of Civil Procedure, in relation to actions to recover real property, and to repeal certain sections thereof," having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 837, Int. No. 372) entitled "An act to legalize certain proceedings of the village of Waterloo, in Seneca county, its legal voters, trustees, officers and agents relating to the establishment of a sewer system and disposal plant, including the making of contracts, and the issue of village bonds therefor, and to authorize the execution and sale of such bonds and provide for their payment from moneys to be raised by taxation in said village," having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 312, Int. No. 311) entitled "An act to amend the Penal Law, in relation to the crime of extortion," was read the second time.

On motion of Mr. Donovan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 955, Int. No. 864) entitled "An act to amend the Code of Civil Procedure, in relation to appointment of confidential stenographer and typewriter operator," was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 454, Int. No. 445) entitled "An act to amend

section six of chapter five hundred and seventeen of the Laws of eighteen hundred and ninety-nine, entitled 'An act to authorize the paving or macadamizing of streets, avenues, highways and public places in the village of Port Chester, Westchester county, and to provide for the payment of the expense of the same,' in relation to the rate of interest of certificates of indebtedness or assessment bonds therein authorized to be issued," was read the second time.

On motion of Mr. Goodwin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 776, Int. No. 709) entitled "An act to set over and cede land to the village of Port Chester, New York, and to authorize the said village to lay out one or more highways thereover and thereon and to issue bonds of the village to pay a part or proportion of the expense of opening and laying out of the said highways, and to authorize the board of trustees of the said village to fix and establish an assessment district on which the balance of such expense will be imposed," was read the second time.

On motion of Mr. Goodwin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 453, Int. No. 444) entitled "An act to amend section three of title four of chapter eight hundred and eighteen of the Laws of eighteen hundred and sixty-eight, entitled 'An act to incorporate the village of Port Chester,' in relation to the collection of taxes in said village," was read the second time.

On motion of Mr. Goodwin, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 147, Rec. No. 68) entitled "An act to amend the Code of Civil Procedure, in relation to the jurisdiction of County Courts," was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 230, Int. No. 228) entitled "An act to amend the Railroad Law, relative to the better protection of the lives of railroad employees and the minimum number of employees to be employed in the operation of certain trains," having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 896, Int. No. 806) entitled "An act to incorporate the Rite of Adoption of the World, Order of the Amaranth," was read the second time.

On motion of Mr. Lent, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1239, Int. No. 1072) entitled "An act to amend section seventy-three of the Forest, Fish and Game Law, by adding the town of Hopkinton, Saint Lawrence county, to be subject to the provisions of said section," was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1220, Int. No. 1055) entitled "An act to amend chapter seven hundred and eighty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Bath, in the county of Steuben, and to repeal certain acts and parts of acts,' in relation to providing for a firemen's fund with moneys raised by taxation in such village," was read the second time.

On motion of Mr. Shannon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 303, Int. No. 302) entitled "An act to amend the Forest, Fish and Game Law, in relation to open season for fishing on Lake Keuka," was read the second time.

On motion of Mr. Shannon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 305, Int. No. 304) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing on Lake Keuka," was read the second time.

On motion of Mr. Shannon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 75, Int. No. 76) entitled "An act to amend the Forest, Fish and Game Law, in regard to open season for lake trout and whitefish," was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 112, Int. No. 111) entitled "An act to amend the Forest, Fish and Game Law, in relation to the taking of English snipe in certain towns of the counties of Erie and Chautauqua," was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 809, Int. No. 739) entitled "An act to amend the Penal Law, in relation to extortion and the punishment therefor," having been announced for a second reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 960, Int. No. 869) entitled "An act to amend the Forest, Fish and Game Law, in relation to taking quail in Dutchess and Ulster counties," was read the second time.

On motion of Mr. Waring, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 961, Int. No. 870) entitled "An act to amend the Forest, Fish and Game Law, in relation to taking suckers with nets in Ulster county," was read the second time.

On motion of Mr. Waring, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 693, Int. No. 637) entitled "An act to legalize, ratify and confirm the proceedings of the inhabitants of school district number six of the town of West Seneca, in the county of Erie, its board of trustees, officers and agents, in the matter of the issuance and sale of the bonds of said district in the sum of eleven thousand and fifty dollars, for the purpose of paying the purchase price of an addition to the site of the high school, to legalize such bonds, and to provide for the payment of the principal and interest of the same," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 817, Int. No. 745) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section fourteen of article six of the Constitution, in relation to the County Court of Kings county," was read the second time.

On motion of Mr. Donovan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1198, Int. No. 1033) entitled "An act to amend chapter one hundred and thirty-seven of the Laws of eighteen hundred and sixty-one, entitled 'An act to empower Masters Lodge

Number Five of Free and Accepted Masons, in the city of Albany, to hold and convey real estate,' in relation to the election of trustees," was read the second time.

On motion of Mr. Hinman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1199, Int. No. 1034) entitled "An act to amend the Insurance Law, in relation to the powers of casualty corporations," having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1201, Int. No. 1036) entitled "An act to amend the Insurance Law, in relation to the taxes to be paid by foreign insurance corporations, by providing that the tax to be paid by such corporations shall be upon the premiums received from business arising and done in this State," having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 425, Int. No. 420) entitled "An act to amend the Insurance Law, relative to proceedings against and the liquidation of delinquent insurance corporations," having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1188, Int. No. 393) entitled "An act to amend the Insurance Law by providing that persons, associations and corporations doing a fire insurance business in this State shall report the amounts at risk in congested value districts," having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 617, Int. No. 589) entitled "An act to amend the Election Law, in relation to primary elections," having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said

bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1112, Int. No. 668) entitled "An act to amend the Election Law, in relation to creating a board of elections in Erie county and defining its powers and duties," having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 464, Int. No. 455) entitled "An act to amend the General Business Law, in relation to bonds heretofore filed with the State Comptroller by ticket agents under article ten thereof," having been announced for a second reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 899, Int. No. 809) entitled "An act to amend the Judiciary Law, in relation to salaries of the official interpreters in the court of general sessions of the peace in and for the county of New York," was read the second time.

On motion of Mr. A. J. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 478, Int. No. 466) entitled "An act to provide for the preparation, printing and distribution of a report of the dedication of the New York State central historical memorial, and reappropriating an unexpended balance to defray the expenses therefor," was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 463, Int. No. 434) entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes," was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1148, Int. No. 1022) entitled "An act to amend the Personal Property Law, in relation to providing for trusts for care of cemetery and private burial lots outside of cemeteries," was read the second time.

On motion of Mr. Miller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1205, Int. No. 1040) entitled "An act to authorize the Adjutant-General to reopen, try and determine the claim made by Anthony J. Ross, private, Company E, Seventy-fourth Regiment Infantry, National Guard, for expenses resulting from injuries received during service," was read the second time.

On motion of Mr. Neupert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1240, Int. No. 1073) entitled "An act to amend the Executive Law, in relation to examiners in the office of the Comptroller," was read the second time.

On motion of Mr. Oliver, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1084, Int. No. 975) entitled "An act making an appropriation for the improvement of the canals," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1085, Int. No. 976) entitled "An act making an appropriation for the improvement of canals," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1135, Int. No. 1009) entitled "An act making an appropriation for the protection of forests from fire," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 735, Int. No. 117) entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes," was read the second time.

On motion of Mr. Trombly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 340, Int. No. 339) entitled "An act making an appropriation for highway improvement in expediting the building of a certain State route," having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The Senate bill (No. 94, Rec. No. 23) entitled "An act to amend the Education Law, relating to the Supreme Court library at Buffalo," was read the second time.

On motion of Mr. Wende, said bill was placed on the order of third reading.

The Senate bill (No. 157, Rec. No. 4) entitled "An act making an appropriation for highway improvement in expediting the building of a State highway or road from a point on route number four at the dividing line between Broome and Tioga counties to Geneva," having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The Senate bill (No. 176, Rec. No. 31) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section two of article six of the Constitution, in relation to assignment of justices of the Supreme Court to hold Special and Trial Terms," was head the second time.

On motion of Mr. Oliver, said bill was placed on the order of third reading.

The Senate bill (No. 623, Rec. No. 74) entitled "An act to amend the General Corporation Law, in relation to revival of corporate existence," was read the second time.

On motion of Mr. Oliver, said bill was placed on the order of third reading.

The Senate bill (No. 487, Rec. No. 42) entitled "An act to amend chapter two hundred and forty of the Laws of nineteen hundred and three, entitled 'An act to authorize the city of Buffalo to acquire lands, by purchase or otherwise, for the construction, maintenance, control and operation of a system of waterworks, and to issue its bonds to carry out such purpose,' generally," having been announced for a third reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 612, Rec. No. 66) entitled "An act to

authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of the claims of Arthur C. Quinn, Thomas Kenny and John Kearney, for services rendered to the county of Kings, in the discretion of such board," having been announced for a third reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 594, Rec. No. 61) entitled "An act to revive an act inadvertently repealed by chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' " having been announced for a third reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

On motion of Mr. Oliver, the House took a recess until 12 o'clock noon.

TWELVE O'CLOCK NOON.

The House again convened.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The presiding officer of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Fiero	Gittins	2

FOR MARTIN W. LITTLETON.

Roosevelt	1

FOR M. J. O'BRIEN.

Loomis	1

FOR WILLIAM SULZER.

White	1

When the roll was called the following pairs were announced: Mr. Allen with Mr. Harden; Mr. Argetsinger with Mr. McManus; Mr. Hewitt with Mr. Murtaugh; Mr. Emerson with Mr. Black; Mr. Coats with Mr. Sanner; Mr. Cobb with Mr. Stilwell; Mr. Griffith with Mr. T. D. Sullivan; Mr. Hamilton with Mr. C. D. Sullivan; Mr. Rose with Mr. Long; Mr. Ormrod with Mr. Harte; Mr. Heacock with Mr. Griffin; Mr. Brackett with Mr. Grady; Mr. Bussey with Mr. Frawley; Mr. Platt with Mr. Pollock; Mr. Sage with Mr. Cronin; Mr. Thomas with Mr. Duhamel; Mr. Hinman with Mr. Ferris; Mr. Travis with Mr. Cullen; Mr. Wainwright with Mr. Bayne; Mr. Walters with Mr. Wagner.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bush	Oliver	Frisbie	3

FOR CHAUNCEY M. DEPEW.

Lansing	1

FOR MARTIN H. GLYNN.

Saunders	1

FOR JOHN D. KERNAN.

Bridenbecker	Drummond	Terry	3

FOR J. J. HOPPER.

O'Connor	1

FOR JOSEPH D. BAUCUS.

Martin	1

FOR AUGUST THOMAS.

Cosad	1

FOR JOHN N. CARLISLE.

Day	1

FOR D. A. BOODY.

Fay	1

When the roll was called the following pairs were announced: Mr. Schifferdecker with Mr. Keys; Mr. Heyman with Mr.

Lent; Mr. Carew with Mr. Winters; Mr. McKeon with Mr. Yeomans; Mr. M. A. O'Neil with Mr. Hoff; Mr. Fay with Mr. Stivers; Mr. Gerken with Mr. Colne; Mr. Farrell with Mr. Connell; Mr. J. J. O'Neill with Mr. Coffey; Mr. Gillen with Mr. Cross; Mr. Jameson with Mr. Ahern; Mr. Goldstein with Mr. Hart; Mr. Geatons with Mr. Pierce; Mr. Donnelly with Mr. Ebbets; Mr. Cheney with Mr. Turley; Mr. F. A. Waters with Mr. Gould; Mr. Wilson with Mr. Collin; Mr. Adler with Mr. Blauvelt; Mr. Talmage with Mr. Sheide; Mrs. Butler with Mr. Zorn; Mr. Brown with Mr. Walker; Mr. McGrath with Mr. Haines; Mr. McElligott with Mr. Hinman; Mr. Brooks with Mr. A. Parker; Mr. White with Mr. A. J. Levy; Mr. Neupert with Mr. Sullivan; Mr. Higgins with Mr. Boylan; Mr. Spielberg with Mr. Baumes; Mr. Cuvillier with Mr. Gray; Mr. Foley with Mr. Murray; Mr. Ward with Mr. Egan; Mr. Sweet with Mr. Dawson; Mr. Bryant with Mr. Graubard; Mr. Yale with Mr. Gurnett; Mr. McDonald with Mr. Gerhardt; Mr. J. S. Phillips with Mr. Wende; Mr. Young with Mr. Warren; Mr. Jones with Mr. Gregg; Mr. Hammond with Mr. Brennan; Mr. T. K. Smith with Mr. Caughlan; Mr. Waring with Mr. Washburn; Mr. R. B. Waters with Mr. Hackett; Mr. Kopp with Mr. Weil; Mr. A. E. Smith with Mr. Merritt.

Whole number of votes cast..... 18

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	2	3	5
For Chauncey M. Depew.....	0	1	1
For Martin W. Littleton.....	1	0	1
For Martin H. Glynn.....	0	1	1
For John D. Kernan.....	0	3	3
For Morgan J. O'Brien.....	1	0	1
For William Sulzer	1	0	1
For John N. Carlisle.....	0	1	1
For John J. Hopper.....	0	1	1
For Joseph D. Baucus.....	0	1	1
For D. A. Boody.....	0	1	1
For Augustus Thomas	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew, whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Long, the joint assembly took a recess until Saturday, March 25th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Saturday, March 25th, at 12 o'clock noon in the Assembly Chamber.

The Senate returned the bill (No. 766, Int. No. 547), entitled "An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificates."

Also, the bill (No. 584, Int. No. 562), entitled "An act making an appropriation for the National Encampment of the Grand Army of the Republic to be held in the city of Rochester, in the month of August, nineteen hundred and eleven."

Also, the bill (No. 1159, Int. No. 387), entitled "An act to amend the Second Class Cities Law, relating to temporary and funded debts."

Also, the bill (No. 414, Int. No. 405), entitled "An act to release to Emil Riese all the right, title and interest of the people of the State of New York in and to certain real estate in the borough of Brooklyn, city of New York, county of Kings and State of New York."

Also, the bill (No. 472, Int. No. 82), entitled "An act to authorize the board of education of the union free school of the village of Saratoga Springs to borrow money on notes to be issued by said board, for the purpose of defraying the expenses incurred in erecting a new schoolhouse in said village."

Also, the bill (No. 277, Int. No. 275), entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and nine, entitled 'An act to make the office of the sheriff of the county of Oswego a salaried office and to regulate the man-

agement thereof,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 645, Senate Reprint No. 736, Int. No. 134), entitled "An act to amend the Agricultural Law, in relation to the definition of the terms 'butter' and 'cheese.'"

Also, Assembly bill (No. 45, Senate Reprint No. 778, Int. No. 45), entitled "An act to legalize the official acts of certain justices of the peace and authorizing them to execute and file official bonds and official oaths and certificate."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 836, Int. No. 380), entitled "An act to amend the Greater New York charter, in relation to the establishment of day nurseries and the acquisition of land and buildings therefor," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, the bill (No. 989, Int. No. 889), entitled "An act to amend chapter six hundred and eighty-four of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' relative to the laying of dust in the streets of said city," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

Also, the bill (No. 376, Int. No. 367), entitled "An act to amend the Ithaca city charter, in relation to the issue of bonds for or in aid of a water supply," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Ithaca.

A communication was received from Hon. L. P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 150, Senate Reprint No. 592, Int. No. 149), entitled "An act providing for the relief of certain taxpayers of the city of Buffalo by

placing the cost of acquiring lands for the extension of Laurel street in said city upon the general fund," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Oliver, the House adjourned until Saturday, March 25th, at 11:30 o'clock A. M.

SATURDAY, MARCH 25, 1911.

The House met pursuant to adjournment.

Mr. Bush in the chair.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. Turley, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend the General Business Law, chapter twenty of the Consolidated Laws, in relation to certified public accountants" (No. 596, Rec. No. 96), which was read the first time and referred to the committee on general laws.

"An act to extend the corporate existence of the Enterprise Land Company; and to validate its conveyance of real estate and the election of its trustees" (No. 820, Rec. No. 97), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Personal Property Law, in relation to loans or advances on salary or wages" (No. 700, Rec. No. 98), which was read the first time and referred to the committee on the judiciary.

"An act to repeal certain sections of the Education Law, relating to the division of union free school districts" (No. 782, Rec. No. 99), which was read the first time and referred to the committee on public education.

"An act to amend the Greater New York charter, in relation to the establishment of day nurseries and the acquisition of land and buildings therefor" (No. 701, Rec. No. 100), which was

read the first time and referred to the committee on affairs of cities.

"An act to amend the Greater New York charter, in relation to theater licenses" (No. 675, Rec. No. 101), which was read the first time and referred to the committee on affairs of cities.

Mr. Bush introduced a bill entitled "An act to amend the Prison Law, relative to the salaries of employees of the State reformatories" (Int. No. 1196), which was read the first time and referred to the committee on ways and means.

Mr. Lansing introduced a bill entitled "An act to amend chapter five hundred and forty-one of the Laws of nineteen hundred and nine, entitled 'An act to provide for the paving and improvement of streets in the village of Hoosick Falls, Rensselaer county, and to provide for the method and means of paying therefor,' generally" (Int. No. 1197), which was read the first time and referred to the committee on affairs of villages.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Stivers (No. 1212, Int. No. 1047), entitled "An act to amend chapter five hundred and seventy-two of the Laws of nineteen hundred and two, entitled 'An act to revise and amend an act to incorporate the city of Middletown and the acts amendatory thereof,' generally."

Also, the bill introduced by Mr. Stivers (No. 821, Int. No. 749), entitled "An act to amend chapter two hundred and thirteen of the Laws of nineteen hundred and four, entitled 'An act to make the office of county clerk of Orange county a salaried office and regulating the management of said office and fixing the salary of said clerk and his assistants,' in relation to payments by said clerk into the treasury of said county of moneys received by him, less his disbursements."

Also, the bill introduced by Mr. Washburn (No. 911, Int. No. 822), entitled "An act to amend the County Law, in relation to official publications in Ulster county."

Also, the bill introduced by Mr. Stivers (No. 820, Int. No. 748), entitled "An act to amend chapter eighty-three of the Laws of nineteen hundred and one, entitled 'An act to provide for the improvement of the public highways in the county of Orange,' in relation to the rate of interest on the bonds to be issued under such act."

Also, the bill introduced by Mr. McDaniels (No. 373, Int. No. 365), entitled "An act to amend the Highway Law, by the addition of a new State route in the counties of Chemung, Schuyler and Tompkins."

Also, the bill introduced by Mr. Bridenbecker (No. 1077, Int. No. 968), entitled "An act to repeal chapter four hundred and thirty-two of the Laws of eighteen hundred and sixty-eight, entitled 'An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county."

Also, the bill introduced by Mr. Sheide (No. 622, Int. No. 594), entitled "An act to make legal, ratify and confirm the organization, acts and proceedings of union free school district number two of the town of Brookhaven, county of Suffolk, its board of education, officers and agents, in the matter of the issuance and sale of the bonds of said district, dated September first, nineteen hundred and ten, issued partly for the construction of a new schoolhouse in said district and partly for the purpose of a site therefor, to validate said bonds and provide for the raising of funds for their payment by taxation in said district," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in the place of Chauncey M. Depew.

The presiding officer of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Fiero	Gittins	2

FOR MARTIN W. LITTLETON.

Roosevelt	1

When the roll was called the following pairs were announced:

Mr. Allen with Mr. Harden; Mr. Argetsinger with Mr. McManus; Mr. Hewitt with Mr. Murtaugh; Mr. Emerson with Mr. Black; Mr. Coats with Mr. Sanner; Mr. Cobb with Mr. Stil-

well; Mr. Griffith with Mr. T. D. Sullivan; Mr. Hamilton with Mr. C. D. Sullivan; Mr. Rose with Mr. Long; Mr. Ormrod with Mr. Harte; Mr. Heacock with Mr. Griffin; Mr. Brackett with Mr. Grady; Mr. Bussey with Mr. Frawley; Mr. Platt with Mr. Pollock; Mr. Sage with Mr. Cronin; Mr. Thomas with Mr. Duhamel; Mr. Hinman with Mr. Ferris; Mr. Travis with Mr. Cullen; Mr. Wainwright with Mr. Bayne; Mr. Walters with Mr. Wagner.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bush 1

FOR CHAUNCEY M. DEPEW.

Lansing 1

FOR J. J. HOPPER.

O'Connor 1

FOR JOHN N. CARLISLE.

Day 1

FOR JOHN D. KERNAN.

Drummond 1

When the roll was called the following pairs were announced:

Mr. Schifferdecker with Mr. Keys; Mr. Heyman with Mr. Lent; Mr. Carew with Mr. Winters; Mr. McKeon with Mr. Yeomans; Mr. M. A. O'Neil with Mr. Hoff; Mr. Fay with Mr. Stivers; Mr. Gerken with Mr. Colne; Mr. Farrell with Mr. Connell; Mr. J. J. O'Neill with Mr. Coffey; Mr. Gillen with Mr. Cross; Mr. Jameson with Mr. Ahern; Mr. Goldstein with Mr. Hart; Mr. Geatons with Mr. Pierce; Mr. Donnelly with Mr. Ebbets; Mr. Cheney with Mr. Turley; Mr. F. A. Waters with Mr. Gould; Mr. Wilson with Mr. Collin; Mr. Adler with Mr. Blauvelt; Mr. Talmage with Mr. Sheide; Mr. Butler with Mr. Zorn; Mr. Brown with Mr. Walker; Mr. McGrath with Mr. Haines; Mr. McElligott with Mr. Hinman; Mr. Brooks with Mr. A. Parker; Mr. White with Mr. A. J. Levy; Mr. Neupert with Mr. Sullivan; Mr. Higgins with Mr. Boylan; Mr. Spielberg with Mr. Baumes;

Mr. Cuvillier with Mr. Gray; Mr. Foley with Mr. Murray; Mr. Ward with Mr. Egan; Mr. Sweet with Mr. Dawson; Mr. Bryant with Mr. Graubard; Mr. Yale with Mr. Gurnett; Mr. McDonald with Mr. Gerhardt; Mr. J. S. Phillips with Mr. Wende; Mr. Young with Mr. Warren; Mr. Jones with Mr. Gregg; Mr. Hammond with Mr. Brennan; Mr. T. K. Smith with Mr. Caughlan; Mr. Waring with Mr. Washburn; Mr. R. B. Waters with Mr. Hackett; Mr. Kopp with Mr. Weil; Mr. A. E. Smith with Mr. Merritt.

Whole number of votes cast..... 8

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	2	1	3
For Chauncey M. Depew.....	0	1	1
For Martin W. Littleton.....	1	0	1
For John D. Kernan.....	0	1	1
For John N. Carlisle.....	0	1	1
For John J. Hopper.....	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew, whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Gittins, the joint assembly took a recess until Monday, March 27th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Monday, March 27th, at 12 o'clock noon in the Assembly Chamber.

On motion of Mr. Turley, the House adjourned until Monday, March 27th, at 11:30 o'clock A. M.

MONDAY, MARCH 27, 1911.

The House met pursuant to adjournment.

Prayer by Rev. C. H. Bridenbeck, Ghent.

On motion of Mr. A. E. Smith, the reading of the journal of Saturday, March 25th, was dispensed with and the same was approved.

Mr. Speaker presented the Forty-fifth Annual Report of the Society for Prevention of Cruelty to Animals, which was laid upon the table and ordered printed.

(See Assembly Document No. 44.)

Mr. Young introduced a bill entitled "An act to extend the corporate existence of the Dunderburg Club, for certain purposes, and to validate its conveyances of real estate and the election of its trustees" (Int. No. 1198), which was read the first time and referred to the committee on the judiciary.

Mr. Bush, by request, introduced a bill entitled "An act to amend the Public Officers Law, in relation to the qualifications of public officers" (Int. No. 1199), which was read the first time and referred to the committee on public institutions.

Mr. Cuvillier introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear and determine any and all claims against the State of New York for damages for personal injuries alleged to have been sustained by Francis J. Hyland, while walking on Third avenue in the city of New York, borough of Manhattan, by a tender of a fire engine of the fire department of the city of New York" (Int. No. 1200), which was read the first time and referred to the committee on ways and means.

Mr. Martin introduced a bill entitled "An act to amend chapter five hundred and sixty-nine of the Laws of one thousand nine hundred and nine, entitled 'An act to authorize the selection, location and appropriation of certain lands in the town of Saratoga Springs, for a State reservation, and to preserve the natural mineral springs therein located, and making an appropriation therefor, and authorizing an issue of bonds to pay such appropriation" (Int. No. 1201), which was read the first time and referred to the committee on ways and means.

Also, "An act to reappropriate the unexpended balance of the moneys appropriated by chapter five hundred and sixty-nine of the Laws of nineteen hundred and nine, for the purchase of lands, rights, easements and interests in land for a State reservation at Saratoga Springs and authorizing an issue of bonds therefor" (Int. No. 1202), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend chapter six hundred and ninety-seven of the Laws of nineteen hundred and seven, amending chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, as amended by chapter one hundred and twenty-nine of the Laws of nineteen hundred and five, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to the time of the appointment of a fire commissioner of said village" (Int. No. 1203), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to authorize the Canal Board to purchase the Halfmoon bridge crossing the Mohawk river between the counties of Albany and Saratoga" (Int. No. 1204), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend chapter three hundred and sixty-nine of the Laws of nineteen hundred and one, entitled 'An act to amend chapter two hundred and fourteen of the Laws of eighteen hundred and eighty-seven, entitled 'An act to organize and establish a police department for the village of Saratoga Springs, and defining its powers and duties,' as amended by chapter sixty-six of the Laws of eighteen hundred and ninety-seven; to terminate the terms of office of the police commissioners of said village of Saratoga Springs; to abolish the office of chief of police in said village; to concentrate the functions heretofore exercised by said commissioners, in a single commissioner, and to define his powers and duties in relation to the time of the appointment of the police commissioner" (Int. No. 1205), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend chapter five hundred and six of the Laws of nineteen hundred and two, entitled 'An act to amend the charter of the village of Saratoga Springs, and to provide for

the appointment of sewer, water and street commissioners for said village, and to prescribe their powers and duties,' in relation to transfer and application of certain local improvement funds in said village" (Int. No. 1206), which was read the first time and referred to the committee on affairs of villages.

Mr. Brooks introduced a bill entitled "An act to amend the Military Law, in relation to retirement and discharge" (Int. No. 1207), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Greater New York charter, in relation to the registration of births not previously recorded" (Int. No. 1208), which was read the first time and referred to the committee on affairs of cities.

Mr. Goodwin introduced a bill entitled "An act to repeal chapter one hundred and thirty-eight of the Laws of nineteen hundred and five, entitled 'An act to provide for the publication by the board of supervisors of Westchester county of certain official notices in said county and repealing chapter two hundred and six of the Laws of nineteen hundred and four'" (Int. No. 1209), which was read the first time and referred to the committee on general laws.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Highway Law, by the addition of a new State route in the counties of Chemung, Schuyler and Tompkins." (No. 373, Int. No. 365.)

"An act to amend the County Law, in relation to official publications in Ulster county." (No. 911, Int. No. 822.)

"An act to amend chapter two hundred and thirteen of the Laws of nineteen hundred and four, entitled 'An act to make the office of county clerk of Orange county a salaried office and regulating the management of said office, and fixing the salary of said clerk and his assistants,' in relation to payments by said clerk into the treasury of said county of moneys received by him, less his disbursements." (No. 821, Int. No. 749.)

"An act to amend the General Business Law, in relation to rate of interest to be demanded or received by a pawnbroker." (No. 441, Int. No. 432.)

"An act to make legal, ratify and confirm the organization, acts and proceedings of union free school district number two of the town of Brookhaven, county of Suffolk, its board of education, officers and agents, in the matter of the issuance and sale of the bonds of said district, dated September first, nineteen hundred and ten, issued partly for the construction of a new schoolhouse in said district and partly for the purchase of a site therefor, to validate said bonds and provide for the raising of funds for their payment by taxation in said district." (No. 622, Int. No. 594.)

"An act to authorize the police commissioner of the city of New York to allow a pension, from the New York police department relief fund, to Kate Mallon, the sister of Francis Mallon, a former member of such department." (No. 919, Int. No. 828.)

"An act to amend chapter two hundred and ninety-eight of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to the distribution of advertising matter in the city of New York,' in relation to such city as now constituted." (No. 1063, Int. No. 951.)

"An act to amend the Labor Law, relating to definitions." (No. 1034, Int. No. 930.)

"An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to duties of assessors." (No. 864, Int. No. 783.)

"An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of public officers in the city of Mount Vernon." (No. 1340, Int. No. 38.)

"An act to amend chapter eighty-three of the Laws of nineteen hundred and one, entitled 'An act to provide for the improvement of the public highways in the county of Orange,' in relation to the rate of interest on the bonds to be issued under such act." (No. 820, Int. No. 748.)

"An act to repeal chapter four hundred and thirty-two of the Laws of eighteen hundred and sixty-eight, entitled 'An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county." (No. 1077, Int. No. 968.)

"An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Niagara county, and abolishing the office of commissioner of jurors in such county." (No. 1339, Int. No. 200.)

"An act to authorize school district number four of the town of Ashford, Cattaraugus county, to acquire for school purposes certain lands therein heretofore used for cemetery purposes." (No. 638, Int. No. 606.)

"An act requiring the Board of Regents of the University of the State of New York to deliver to the State of South Carolina certain documents and records now in the State Library." (No. 1016, Int. No. 917.)

"An act to amend the Highway Law, in relation to the description of route thirty-two to be constructed or improved by the State." (No. 1067, Int. No. 961.)

"An act to amend the Labor Law, in relation to the lighting of factories." (No. 992, Int. No. 893.)

"An act providing that the police commissioner of the city of New York in his discretion may reappoint Thomas G. Mellon, an ex-policeman of the city of New York, who resigned from said police department August twenty-first, eighteen hundred and ninety-five." (No. 602, Int. No. 581.)

Mr. Graubard, from the committee on public printing, to which was referred the resolution relative to printing one thousand additional copies of Assembly bill (Printed No. 729, Int. No. 154) reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the use of the Assembly one thousand additional copies of Assembly bill (No. 729, Int. No. 154) entitled "An act to amend the Public Health Law, relating to cold storage and refrigerating warehouses and places and the sale or disposition of the food kept or preserved therein."

Mr. Speaker put the question whether the House would agree to the final passage of said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Haines	McElligott	Sheide
Ahern	Day	Hart	McGrath	Shepardson
Allen	DeLano	Hammond	McKeon	Shlivek
Beach	Donovan	Hearn	Merritt	Shortt
Blauvelt	Drummond	Herrick J J	Miller	Smith A E
Boylan	Ebbetts	Herrick W R	Monczynski	Smith T K
Brace	Egan	Higgins	Mork	Stivers
Brennan	Evans	Hinman	Murray	Sullivan
Brereton	Fay	Hollmann	Myers	Sweet
Bridenbecker	Filley	Hoyt	Neupert	Thorn
Brooks	Fitzpatrick	Huber	Nolan	Trombly
Brown	Foley	Jackson	O'Connor	Turley
Bryant	Friedman	Jameson	O'Neill J J	Waring
Bush	Fry	Jones	O'Neil M A	Waters F A
Butler	Geatons	Kennedy	Pappert	Waters R B
Carew	Gerhardt	Keys	Parker A	Wende
Chanler	Goldberg	Kopp	Parker J S	Wheeler
Coffey	Goodman	Lansing	Patrie	White
Collin	Goodwin	LaReau	Phillips C W	Wilson
Colné	Gould	Lincoln	Phillips J S	Winters
Connell	Graubard	Macdonald	Pierce	Yale
Constantine	Gray	Manley	Saunders	Yeomans
Cosad	Gregg	Martin	Seeley	Young
Cross	Gurnett	McDaniels	Shannon	Zorn
Cuvillier	Hackett			

Mr. Goodwin offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly one thousand additional copies of Senate bill (No. 805, Int. No. 733) introduced by Mr. McClelland, March 15, 1911.

which was referred to the committee on public printing.

Mr. C. W. Phillips offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That through the legislative body, the people of the State of New York hereby extend their good wishes to the people of United Italy on this, their fiftieth, anniversary of the United Italian government, and extend to them our best wishes for a continued unity and prosperity.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Goldberg offered for the consideration of the House a resolution, in the words following:

Whereas, A number of residents of the city of New York have lost their lives by an appalling disaster by fire; and

Whereas, By reason of said calamity many families have been rendered without the aid and assistance of those near and dear to them; and

Whereas, The citizens of the State of New York always sympathizing with those in distress; therefore,

Resolved (if the Senate concur), That the citizens of the city of New York, and the State of New York, through the members of the Legislature of the State of New York, express and extend, to the families of those who have perished and suffered by reason of said fire, their heartfelt sympathy; be it further

Resolved (if the Senate concur), That the sum of three thousand ($3,000) dollars be appropriated, and distributed by the New York Chapter of the Red Cross Society among the suffering and needy.

which was referred to the committee on ways and means.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Adler	Dawson	Hart	McKeon	Shortt
Ahern	Day	Hammond	Merritt	Smith A E
Allen	DeLano	Hearn	Miller	Smith T K
Beach	Donovan	Herrick J J	Monczynski	Stivers
Blauvelt	Drummond	Herrick W R	Mork	Sullivan
Boylan	Ebbetts	Higgins	Murray	Sweet
Brace	Egan	Hinman	Myers	Thorn
Brennan	Evans	Hollmann	Neupert	Trombly
Brereton	Fay	Hoyt	Nolan	Turley
Bridenbecker	Filley	Huber	O'Connor	Ward
Brooks	Fitzpatrick	Jackson	O'Neill J J	Warren
Brown	Foley	Jameson	O'Neil M A	Waters F A
Bryant	Friedman	Jones	Pappert	Waters R B
Bush	Fry	Kennedy	Parker A	Weil
Butler	Geatons	Keys	Parker J S	Wende
Carew	Gerhardt	Kopp	Patrie	Wheeler
Chanler	Goldberg	Lansing	Phillips C W	White
Coffey	Goodman	LaReau	Phillips J S	Wilson
Collin	Goodwin	Lincoln	Pierce	Winters
Colné	Gould	Macdonald	Saunders	Yale
Connell	Graubard	Manley	Seeley	Yeomans
Constantine	Gray	Martin	Shannon	Young
Cosad	Gregg	McDaniels	Sheide	Zorn
Cross	Hackett	McElligott	Shepardson	Speaker
Cuvillier	Haines	McGrath	Shlivek	

Mr. A. E. Smith moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 528, Int. No. 513) entitled "An act to amend the Public Health Law, relative to unlawful practice of veterinary medicine," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1078, Int. No. 969) entitled "An act to amend the Public Health Law, in relation to vital statistics," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 758, Int. No. 696) entitled "An act to amend the Public Health Law, in relation to the use of common drinking cups," having been announced for a second reading,

On motion of Mr. Carew, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday, April 4th.

The bill (No. 1296, Int. No. 384) entitled "An act to amend the County Law, in relation to the appointment of a journal clerk and necessary assistant clerks by a board of supervisors," was read the second time.

On motion of Mr. Cheney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1295, Int. No. 887) entitled "An act to amend chapter twenty-nine of the Laws of nineteen hundred and nine, entitled 'An act relating to municipal corporations, constituting chapter twenty-four of the Consolidated Laws,' in relation to exempt volunteer firemen," was read the second time.

On motion of Mr. Geatons, said bill was placed on the order of third reading and referred to the committee on revision.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Black	Gittins	Harte	Murtaugh	Ramsperger	
Ferris	Harden	McClelland	Pollock	Wagner	10

FOR CHAUNCEY M. DEPEW.

Allen	Heacock	Hewitt	Sage	Walters	
Argetsinger					6

FOR MARTIN W. LITTLETON.

Roosevelt	1

FOR M. J. O'BRIEN.

Loomis	Saxe	2

FOR MARTIN H. GLYNN.

White	1

When the roll was called the following pairs were announced: Mr. Brackett with Mr. Grady; Mr. Coats with Mr. Sanner; Mr. Cobb with Mr. Stilwell; Mr. Emerson with Mr. McManus; Mr. Griffith with Mr. T. D. Sullivan; Mr. Hamilton with Mr. C. D. Sullivan; Mr. Thomas with Mr. Duhamel; Mr. Travis with Mr. Cullen; Mr. Ormrod with Mr. Bayne; Mr. Platt with Mr. Fiero; Mr. Rose with Mr. Long; Mr. Hinman with Mr. Frawley.

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Bush	Frisbie	Herrick W R	LaReau	Manley	
Donovan					6

FOR CHAUNCEY M. DEPEW.

Allen	Brereton	Filley	Lansing	Lincoln	5

FOR ALTON B. PARKER.

McDaniels	1

FOR MARTIN H. GLYNN.

Saunders	1

FOR JOHN D. KERNAN.

Myers	1

FOR MARTIN W. LITTLETON.

Beach	Evans	Hollmann	Martin	Terry	
Brace	Friedman	Hoyt	Miller	Trombly	
Bridenbecker	Fry	Huber	Shortt	Wheeler	
Drummond					16

FOR M. J. O'BRIEN.

Chanler 1

FOR JOHN N. CARLISLE.

Day 1

FOR J. J. HOPPER.

O'Connor 1

When the roll was called the following pairs were announced:

Mr. Schifferdecker with Mr. Keys; Mr. Heyman with Mr. Lent; Mr. Carew with Mr. Winters; Mr. McKeon with Mr. Yeomans; Mr. M. A. O'Neil with Mr. Hoff; Mr. Fay with Mr. Stivers; Mr. Gerken with Mr. Colne; Mr. Farrell with Mr. Connell; Mr. J. J. O'Neill with Mr. Coffey; Mr. Gillen with Mr. Cross; Mr. Jameson with Mr. Ahern; Mr. Goldstein with Mr. Hart; Mr. Geatons with Mr. Pierce; Mr. Donnelly with Mr. Ebbets; Mr. Cheney with Mr. Turley; Mr. F. A. Waters with Mr. Gould; Mr. Wilson with Mr. Collin; Mr. Adler with Mr. Blauvelt; Mr. Talmage with Mr. Sheide; Mr. Butler with Mr. Zorn; Mr. Brown with Mr. Walker; Mr. McGrath with Mr. Haines; Mr. McElligott with Mr. Hinman; Mr. Brooks with Mr. A. Parker; Mr. White with Mr. A. J. Levy; Mr. Neupert with Mr. Sullivan; Mr. Higgins with Mr. Boylan; Mr. Spielberg with Mr. Baumes; Mr. Cuvillier with Mr. Gray; Mr. Foley with Mr. Murray; Mr. Ward with Mr. Eagan; Mr. Sweet with Mr. Dawson; Mr. Bryant with Mr. Graubard; Mr. Yale with Mr. Gurnett; Mr. McDonald with Mr. Gerhardt; Mr. J. S. Phillips with Mr. Wende; Mr. Young with Mr. Warren; Mr. Jones with Mr. Gregg; Mr. Hammond with Mr. Brennan; Mr. T. K. Smith with Mr. Caughlan; Mr. Waring with Mr. Washburn; Mr. R. B. Waters with Mr. Hackett; Mr. Kopp with Mr. Weil; Mr. A. E. Smith with Mr. Merritt.

Whole number of votes cast..... 53

	Senators.	Assemblymen.	Total.
For William F. Sheehan.....	10	6	16
For Chauncey M. Depew.....	6	5	11
For Alton B. Parker.....	0	1	1
For Martin W. Littleton.....	1	16	17

	Senators.	Assemblymen.	Total.
For Martin H. Glynn.....	1	1	2
For John D. Kernan.....	0	1	1
For Morgan J. O'Brien.....	2	1	3
For John N. Carlisle.....	0	1	1
For John J. Hopper.....	0	1	1

A quorum of all the Senators and Members of the Assembly not being present and voting, the President of the Senate announced that the joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew, whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Ferris, the joint assembly took a recess until Tuesday, March 28th, at 12 o'clock noon.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly not being present and voting no choice had been made and that the joint assembly had adjourned to meet Tuesday, March 28th, at 12 o'clock noon in the Assembly Chamber.

The bill (No. 1255, Int. No. 298) entitled "An act to amend the Poor Law, in relation to the burial of soldiers, sailors or marines and to marking their graves with headstones," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McGrath	Shepardson
Ahern	Day	Hammond	McKeon	Shlivek
Allen	DeLano	Hearn	Merritt	Shortt
Beach	Donovan	Herrick J J	Miller	Smith A E
Blauvelt	Drummond	Herrick W R	Monczynski	Smith T K
Boylan	Ebbetts	Heyman	Mork	Stivers
Brace	Egan	Higgins	Murray	Sullivan
Brennan	Evans	Hinman	Myers	Sweet
Brereton	Fay	Hollmann	Neupert	Thorn

Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	O'Neill J J	Ward
Bryant	Friedman	Jameson	O'Neil M A	Warren
Bush	Fry	Jones	Pappert	Waters F A
Butler	Geatons	Kennedy	Parker A	Waters R B
Carew	Gerhardt	Keys	Parker J S	Wende
Chanler	Goldberg	Kopp	Patrie	Wheeler
Coffey	Goodman	Lansing	Phillips C W	White
Collin	Goodwin	LaReau	Phillips J S	Wilson
Colné	Gould	Lincoln	Pierce	Winters
Connell	Graubard	Macdonald	Saunders	Yale
Constantine	Gray	Manley	Seeley	Yeomans
Cosad	Gregg	Martin	Shannon	Young
Cross	Hackett	McDaniels	Sheide	Zorn
Cuvillier	Haines	McElligott		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1256, Int. No. 702) entitled "An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and forty-six, entitled 'An act to authorize the New York and New Haven Railroad Company to extend their railroad from the Connecticut line to the New York and Harlem railroad,' in regard to rates of fare and otherwise," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1254, Int. No. 921) entitled "An act to amend the Military Law, in relation to the Naval Militia," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McGrath	Shepardson
Ahern	Day	Hammond	McKeon	Shlivek
Allen	DeLano	Hearn	Merritt	Shortt
Beach	Donovan	Herrick J J	Miller	Smith A E

Blauvelt	Drummond	Herrick W R	Monczynski	Smith T K
Boylan	Ebbetts	Higgins	Mork	Stivers
Brace	Egan	Hinman	Murray	Sullivan
Brennan	Evans	Hollmann	Myers	Sweet
Brereton	Fay	Hoyt	Neupert	Thorn
Bridenbecker	Filley	Huber	Nolan	Trombly
Brooks	Fitzpatrick	Jackson	O'Connor	Turley
Brown	Foley	Jameson	O'Neill J J	Ward
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Waters F A
Butler	Geatons	Keys	Parker A	Waters R B
Carew	Gerhardt	Kopp	Parker J S	Wende
Chanler	Gillen	Lansing	Patrie	Wheeler
Coffey	Goodman	LaReau	Phillips C W	White
Collin	Goodwin	Lincoln	Phillips J S	Wilson
Colné	Gould	Macdonald	Pierce	Winters
Connell	Graubard	Manley	Saunders	Yale
Constantine	Gray	Martin	Seeley	Yeomans
Cosad	Gregg	McDaniels	Shannon	Young
Cross	Hackett	McElligott	Sheide	Zorn
Cuvillier	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1253, Int. No. 683) entitled "An act to amend the Public Officers Law, in relation to holidays and the hours of employees of the State and the various civil subdivisions thereof, and the compensation therefor," having been announced for a third reading,

On motion of Mr. Murray, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1185, Int. No. 740) entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to bail in magistrates' courts in said city," having been announced for a third reading,

On motion of Mr. Murray, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The Senate bill (No. 487, Rec. No. 42) entitled "An act to amend chapter two hundred and forty of the Laws of nineteen hundred and three, entitled 'An act to authorize the city of Buffalo to acquire lands, by purchase or otherwise, for the construction, maintenance, control and operation of a system of waterworks, and to issue its bonds to carry out such purpose,' generally," was

read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McGrath	Shepardson
Ahern	Day	Hammond	McKeon	Shlivek
Allen	DeLano	Hearn	Merritt	Shortt
Beach	Donovan	Herrick J J	Miller	Smith A E
Blauvelt	Drummond	Herrick W R	Monczynski	Smith T K
Boylan	Ebbetts	Higgins	Mork	Stivers
Brace	Egan	Hinman	Murray	Sullivan
Brennan	Evans	Hollmann	Myers	Sweet
Brereton	Fay	Hoyt	Neupert	Thorn
Bridenbecker	Filley	Huber	Nolan	Trombly
Brooks	Fitzpatrick	Jackson	O'Connor	Turley
Brown	Foley	Jameson	O'Neill J J	Ward
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Waters F A
Butler	Geatons	Keys	Parker A	Waters R B
Carew	Gerhardt	Kopp	Parker J S	Wende
Chanler	Goldberg	Lansing	Patrie	Wheeler
Coffey	Goodman	LaReau	Phillips C W	White
Collin	Goodwin	Lincoln	Phillips J S	Wilson
Colné	Gould	Macdonald	Pierce	Winters
Connell	Graubard	Manley	Saunders	Yale
Constantine	Gray	Martin	Seeley	Yeomans
Conrad	Gregg	McDaniels	Shannon	Young
Cross	Hackett	McElligott	Sheide	Zorn
Cuvillier	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 612, Rec. No. 66) entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of the claims of Arthur C. Quinn, Thomas Kenny and John Kearney, for services rendered to the county of Kings, in the discretion of such board," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 92
NOES 5

Those who voted in the affirmative were:

Adler	DeLano	Herrick J J	Miller	Smith A E
Ahern	Donovan	Herrick W R	Monczynski	Smith T K
Allen	Egan	Higgins	Mork	Stivers
Boylan	Farrell	Hoyt	Myers	Terry
Brace	Fay	Huber	Neupert	Thorn
Brennan	Filley	Jackson	O'Connor	Trombly
Brereton	Friedman	Jameson	O'Neill J J	Turley
Bryant	Fry	Jones	O'Neil M A	Warren
Bush	Geatons	Kennedy	Parker A	Waters F A
Carew	Gerhardt	Keys	Parker J S	Weil
Coffey	Goldberg	Kopp	Patrie	Wende
Collin	Goodwin	Macdonald	Phillips C W	Wheeler
Connell	Gould	Manley	Phillips J S	Wilson
Constantine	Graubard	Martin	Pierce	Winters
Cosad	Gregg	McDaniels	Seeley	Yale
Cross	Hackett	McElligott	Shannon	Yeomans
Cuvillier	Haines	McGrath	Shepardson	Young
Dawson	Hammond	McKeon	Shortt	Zorn
Day	Hearn			

Those who voted in the negative were:

Ebbetts	Murray	Shlivek	Sullivan	Ward

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 594, Rec. No. 61) entitled "An act to revive an act inadvertently repealed by chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,'" was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121
NOES 1

Those who voted in the affirmative were:

Adler	Dawson	Haines	McElligott	Shepardson
Ahern	Day	Hart	McGrath	Shlivek
Allen	DeLano	Hammond	McKeon	Shortt
Beach	Donovan	Hearn	Merritt	Smith A E
Blauvelt	Drummond	Herrick J J	Miller	Smith T K
Boylan	Ebbetts	Herrick W R	Monczynski	Stivers
Brace	Egan	Higgins	Mork	Sullivan
Brennan	Evans	Hinman	Myers	Sweet
Brennan	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	O'Neill J J	Ward
Bryant	Friedman	Jameson	O'Neil M A	Warren
Bush	Fry	Jones	Pappert	Waters F A
Butler	Geatons	Kennedy	Parker A	Waters R B
Carew	Gerken	Keys	Parker J S	Wende
Chanler	Goldberg	Kopp	Patrie	Wheeler
Coffey	Goodman	Lansing	Phillips C W	White
Collin	Goodwin	LaReau	Phillips J S	Wilson
Colné	Gould	Lincoln	Pierce	Winters
Connell	Graubard	Macdonald	Saunders	Yale
Constantine	Gray	Manley	Seeley	Yeomans
Cosad	Gregg	Martin	Shannon	Young
Cross	Hackett	McDaniels	Sheide	Zorn
Cuvillier				

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1291, Int. No. 882) entitled "An act to amend the Penal Law, in relation to guide signs lawfully erected upon highways," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Haines	McGrath	Shepardson
Ahern	Day	Hart	McKeon	Shlivek
Allen	DeLano	Hammond	Merritt	Shortt
Beach	Donovan	Hearn	Miller	Smith A E

Blauvelt	Drummond	Herrick J J	Monczynski	Smith T K
Boylan	Ebbetts	Herrick W R	Mork	Stivers
Brace	Egan	Higgins	Murray	Sullivan
Brennan	Evans	Hinman	Myers	Sweet
Brereton	Farrell	Hollmann	Neupert	Thorn
Bridenbecker	Fay	Hoyt	Nolan	Trombly
Brooks	Filley	Huber	O'Connor	Turley
Brown	Fitzpatrick	Jackson	O'Neill J J	Ward
Bryant	Foley	Jameson	O'Neil M A	Warren
Bush	Friedman	Jones	Pappert	Waters F A
Butler	Fry	Kennedy	Parker A	Waters R B
Carew	Geatons	Keys	Parker J S	Wende
Chanler	Gerken	Kopp	Patrie	Wheeler
Coffey	Goldberg	Lansing	Phillips C W	White
Collin-	Goodman	LaRean	Phillips J S	Wilson
Colné	Goodwin	Lincoln	Pierce	Winters
Connell	Gould	Macdonald	Saunders	Yale
Constantine	Graubard	Manley	Seeley	Yeomans
Cosad	Gray	Martin	Shannon	Young
Cross	Gregg	McDaniels	Sheide	Zorn
Cuvillier	Hackett	McElligott		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1293, Int. No. 94) entitled "An act to amend the Greater New York charter, in relation to the issue of corporate stock," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McGrath	Shepardson
Ahern	Day	Hammond	McKeon	Shlivek
Allen	DeLano	Hearn	Merritt	Shortt
Beach	Donovan	Herrick J J	Miller	Smith A E
Blauvelt	Drummond	Herrick W R	Monczynski	Smith T K
Boylan	Ebbetts	Higgins	Mork	Stivers
Brace	Egan	Hinman	Murray	Sullivan
Brennan	Evans	Hollmann	Myers	Sweet
Brereton	Fay	Hoyt	Neupert	Thorn
Bridenbecker	Filley	Huber	Nolan	Trombly
Brooks	Fitzpatrick	Jackson	O'Connor	Turley
Brown	Foley	Jameson	O'Neill J J	Ward
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Waters F A
Butler	Geatons	Keys	Parker A	Waters R B
Carew	Gerken	Kopp	Parker J S	Wende
Chanler	Goldberg	Lansing	Patrie	Wheeler

Coffey	Goodman	LaReau	Phillips C W	White
Collin	Goodwin	Lincoln	Phillips J S	Wilson
Colné	Gould	Macdonald	Pierce	Winters
Connell	Graubard	Manley	Saunders	Yale
Constantine	Gray	Martin	Seeley	Yeomans
Cosad	Gregg	McDaniels	Shannon	Young
Cross	Hackett	McElligott	Sheide	Zorn
Cuvillier	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1111, Int. No. 164) entitled "An act to amend article four of the Labor Law, entitled 'An act relating to labor, constituting chapter thirty-one of the Consolidated Laws,' in relation to medical reports to the Bureau of Labor Statistics," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McGrath	Shepardson
Ahern	Day	Hammond	McKeon	Shlivek
Allen	DeLano	Hearn	Merritt	Shortt
Beach	Donovan	Herrick J J	Miller	Smith A E
Blauvelt	Drummond	Herrick W R	Monczynski	Smith T K
Boylan	Ebbetts	Higgins	Mork	Stivers
Brace	Egan	Hinman	Murray	Sullivan
Brennan	Evans	Hollmann	Myers	Sweet
Brereton	Fay	Hoyt	Neupert	Thorn
Bridenbecker	Filley	Huber	Nolan	Trombly
Brooks	Fitzpatrick	Jackson	O'Connor	Turley
Brown	Foley	Jameson	O'Neill J J	Ward
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Waters F A
Butler	Geatons	Keys	Parker A	Waters R B
Carew	Gerken	Kopp	Parker J S	Wende
Chanler	Goldberg	Lansing	Patrie	Wheeler
Coffey	Goodman	LaReau	Phillips C W	White
Collin	Goodwin	Lincoln	Phillips J S	Wilson
Colné	Gould	Macdonald	Pierce	Winters
Connell	Graubard	Manley	Saunders	Yale
Constantine	Gray	Martin	Seeley	Yeomans
Cosad	Gregg	McDaniels	Shannon	Young
Cross	Hackett	McElligott	Sheide	Zorn
Cuvillier	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1271, Int. No. 461) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relating to the designation of an official newspaper," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McGrath	Shepardson
Ahern	Day	Hammond	McKeon	Shlivek
Allen	DeLano	Hearn	Merritt	Shortt
Beach	Donovan	Herrick J J	Miller	Smith A E
Blauvelt	Drummond	Herrick W R	Monczynski	Smith T K
Boylan	Ebbetts	Higgins	Mork	Stivers
Brace	Egan	Hinman	Murray	Sullivan
Brennan	Evans	Hollmann	Myers	Sweet
Brereton	Fay	Hoyt	Neupert	Thorn
Bridenbecker	Filley	Huber	Nolan	Trombly
Brooks	Fitzpatrick	Jackson	O'Connor	Turley
Brown	Foley	Jameson	O'Neill J J	Ward
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Waters F A
Butler	Geatons	Keys	Parker A	Waters R B
Carew	Gerhardt	Kopp	Parker J S	Wende
Chanler	Goldberg	Lansing	Patrie	Wheeler
Coffey	Goodman	LaReau	Phillips C W	White
Collin	Goodwin	Lincoln	Phillips J S	Wilson
Colné	Gould	Macdonald	Pierce	Winters
Connell	Graubard	Manley	Saunders	Yale
Constantine	Gray	Martin	Seeley	Yeomans
Cosad	Gregg	McDaniels	Shannon	Young
Cross	Hackett	McElligott	Sheide	Zorn
Cuvillier	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1179, Int. No. 711) entitled "An act to amend the Insurance Law, in relation to the powers of title guaranty corporations," having been announced for a third reading,

On motion of Mr. W. R. Herrick, and by unanimous consent,

said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1171, Int. No. 146) entitled "An act to amend the Greater New York charter, in regard to the appointment of a municipal architect," having been announced for a third reading,

On motion of Mr. Murray, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1290, Int. No. 453) entitled "An act to amend chapter two hundred and sixty-nine of the Laws of eighteen hundred and seventy-two, entitled 'An act authorizing the construction of a bridge across the Hudson river at the city of Albany, and incorporating the "Albany and Greenbush Bridge Company," ' in relation to rates of toll to be charged by said company or its successors, including the Albany and Southern Railroad Company, and the sale of tickets," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McGrath	Shepardson
Ahern	Day	Hammond	McKeon	Shlivek
Allen	DeLano	Hearn	Merritt	Shortt
Beach	Donovan	Herrick J J	Miller	Smith A E
Blauvelt	Drummond	Herrick W R	Mc•czynski	Smith T K
Boylan	Ebbetts	Higgins	Mork	Stivers
Brace	Egan	Hinman	Murray	Sullivan
Brennan	Evans	Hollmann	Myers	Sweet
Brereton	Fay	Hoyt	Neupert	Thorn
Bridenbecker	Filley	Huber	Nolan	Trombly
Brooks	Fitzpatrick	Jackson	O'Connor	Turley
Brown	Foley	Jameson	O'Neill J J	Ward
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Waters F A
Butler	Geatons	Keys	Parker A	Waters R B
Carew	Gerhardt	Kopp	Parker J S	Wende
Chanler	Goldberg	Lansing	Patrie	Wheeler

Coffey	Goodman	LaReau	Phillips C W	White
Collin	Goodwin	Lincoln	Phillips J S	Wilson
Colné	Gould	Macdonald	Pierce	Winters
Connell	Graubard	Manley	Saunders	Yale
Constantine	Gray	Martin	Seeley	Yeomans
Cosad	Gregg	McDaniels	Shannon	Young
Cross	Hackett	McElligott	Sheide	Zorn
Cuvillier	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1292, Int. No. 43) entitled "An act to amend the State Boards and Commissions Law, relative to notice, plans, specifications and map," having been announced for a third reading,

On motion of Mr. Martin, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1096, Int. No. 403) entitled "An act to amend the Public Service Commissions Law, in relation to the issuance of free passes, or franks, by telephone or telegraph companies," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McGrath	Shepardson
Ahern	Day	Hammond	McKeon	Shlivek
Allen	DeLano	Hearn	Merritt	Shortt
Beach	Donovan	Herrick J J	Miller	Smith A E
Blauvelt	Drummond	Herrick W R	Monczynski	Smith T K
Boylan	Ebbetts	Higgins	Mork	Stivers
Brace	Egan	Hinman	Murray	Sullivan
Brennan	Evans	Hollmann	Myers	Sweet
Brereton	Fay	Hoyt	Neupert	Thorn
Bridenbecker	Filley	Huber	Nolan	Trombly
Brooks	Fitzpatrick	Jackson	O'Connor	Turley
Brown	Foley	Jameson	O'Neill J J	Ward
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Waters F A
Butler	Geatons	Keys	Parker A	Waters R B
Carew	Gerhardt	Kopp	Parker J S	Wende
Chanler	Goldberg	Lansing	Patrie	Wheeler
Coffey	Goodman	LaReau	Phillips C W	White
Collin	Goodwin	Lincoln	Phillips J S	Wilson

Colné	Gould	Macdonald	Pierce	Winters
Connell	Graubard	Manley	Saunders	Yale
Constantine	Gray	Martin	Seeley	Yeomans
Cosad	Gregg	McDaniels	Shannon	Young
Cross	Hackett	McElligott	Sheide	Zorn
Cuvillier	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1191, Int. No. 278) entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to salaries," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Haines	McGrath	Shepardson
Ahern	Day	Hait	McKeon	Shlivek
Allen	DeLano	Hammond	Merritt	Shortt
Beach	Donovan	Hearn	Miller	Smith A E
Blauvelt	Drummond	Herrick J J	Monczynski	Smith T K
Boylan	Ebbetts	Herrick W R	Mork	Stivers
Brace	Egan	Higgins	Murray	Sullivan
Brennan	Evans	Hinman	Myers	Sweet
Brereton	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	O'Neill J J	Ward
Bryant	Friedman	Jameson	O'Neil M A	Warren
Bush	Fry	Jones	Pappert	Waters F A
Butler	Geatons	Kennedy	Parker A	Waters R B
Carew	Gerhardt	Keys	Parker J S	Wende
Chanler	Goldberg	Kopp	Patrie	Wheeler
Coffey	Goldstein	Lansing	Phillips C W	White
Collin	Goodman	LaReau	Phillips J S	Wilson
Colné	Goodwin	Lincoln	Pierce	Winters
Connell	Gould	Macdonald	Saunders	Yale
Constantine	Graubard	Manley	Seeley	Yeomans
Cosad	Gray	Martin	Shannon	Young
Cross	Gregg	McDaniels	Sheide	Zorn
Cuvillier	Hackett	McElligott		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the

final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 1190, Int. No. 101) entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the fire pension fund," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121
NOES 1

Those who voted in the affirmative were:

Adler	Dawson	Haines	McElligott	Shepardson
Ahern	Day	Hart	McGrath	Shlivek
Allen	DeLano	Hammond	McKeon	Shortt
Beach	Donovan	Hearn	Merritt	Smith A E
Blauvelt	Drummond	Herrick J J	Miller	Smith T K
Boylan	Ebbetts	Herrick W R	Monczynski	Stivers
Brace	Egan	Higgins	Mork	Sullivan
Brennan	Evans	Hinman	Myers	Sweet
Brereton	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	O'Neill J J	Waid
Bryant	Friedman	Jameson	O'Neil M A	Warren
Bush	Fry	Jones	Pappert	Waters F A
Butler	Geatons	Kennedy	Parker A	Waters R B
Carew	Gerhardt	Keys	Parker J S	Wende
Chanler	Goldberg	Kopp	Patrie	Wheeler
Coffey	Goodman	Lansing	Phillips C W	White
Collin	Goodwin	LaReau	Phillips J S	Wilson
Colné	Gould	Lincoln	Pierce	Winters
Connell	Graubard	Macdonald	Saunders	Yale
Constantine	Gray	Manley	Seeley	Yeomans
Cosad	Gregg	Martin	Shannon	Young
Cross	Hackett	McDaniels	Sheide	Zorn
Cuvillier				

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 1004, Int. No. 425) entitled "An act to amend the Judiciary Law, in relation to jurors in New York county," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McGrath	Shepardson
Ahern	Day	Hammond	McKeon	Shlivek
Allen	DeLano	Hearn	Merritt	Shortt
Beach	Donovan	Herrick J J	Miller	Smith A E
Blauvelt	Drummond	Herrick W R	Monczynski	Smith T K
Boylan	Ebbetts	Higgins	Mork	Stivers
Brace	Egan	Hinman	Murray	Sullivan
Brennan	Evans	Hollmann	Myers	Sweet
Brereton	Fay	Hoyt	Neupert	Thorn
Bridenbecker	Filley	Huber	Nolan	Trombly
Brooks	Fitzpatrick	Jackson	O'Connor	Turley
Brown	Foley	Jameson	O'Neill J J	Ward
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Waters F A
Butler	Geatons	Keys	Parker A	Waters R B
Carew	Gerhardt	Kopp	Parker J S	Wende
Chanler	Goldberg	Lansing	Patrie	Wheeler
Coffey	Goodman	LaReau	Phillips C W	White
Collin	Goodwin	Lincoln	Phillips J S	Wilson
Colné	Gould	Macdonald	Pierce	Winters
Connell	Graubard	Manley	Saunders	Yale
Constantine	Gray	Martin	Seeley	Yeomans
Cosad	Gregg	McDaniels	Shannon	Young
Cross	Hackett	McElligott	Sheide	Zorn
Cuvillier	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 1109, Int. No. 53) entitled "An act to amend the Penal Law, in relation to kidnapping," having been announced for a third reading,

On motion of Mr. Ward, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1186, Int. No. 936) entitled "An act to amend the Penal Law, relative to buying or receiving stolen or wrongfully acquired property," having been announced,

Mr. Cuvillier moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith, amended as follows:

Page 2, line 16, place brackets about the word " ascertaining " and insert in italics the words " attempting to ascertain ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Chanler, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1272, Int. No. 133) entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McGrath	Shepardson
Ahern	Day	Hammond	McKeon	Shlivek
Allen	DeLano	Hearn	Merritt	Shortt
Beach	Donovan	Herrick J J	Miller	Smith A E
Blauvelt	Drummond	Herrick W R	Monczynski	Smith T K
Boylan	Ebbetts	Higgins	Mork	Stivers
Brace	Egan	Hinman	Murray	Sullivan
Brennan	Evans	Hollmann	Myers	Sweet
Brereton	Fay	Hoyt	Neupert	Thorn
Bridenbecker	Filley	Huber	Nolan	Trombly
Brooks	Fitzpatrick	Jackson	O'Connor	Turley
Brown	Foley	Jameson	O'Neill J J	Ward
Bryant	Friedman	Jones	O'Neil M A	Warren

Bush	Fry	Kennedy	Pappert	Waters F A
Butler	Geatons	Keys	Parker A	Waters R B
Carew	Gerhardt	Kopp	Parker J S	Wende
Chanler	Goldberg	Lansing	Patrie	Wheeler
Coffey	Goodman	LaReau	Phillips C W	White
Collin	Goodwin	Lincoln	Phillips J S	Wilson
Colné	Gould	Macdonald	Pierce	Winters
Connell	Graubard	Manley	Saunders	Yale
Constantine	Gray	Martin	Seeley	Yeomans
Cosad	Gregg	McDaniels	Shannon	Young
Cross	Hackett	McElligott	Sheide	Zorn
Cuvillier	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 94, Rec. No. 23) entitled "An act to amend the Education Law, relating to the Supreme Court library at Buffalo," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McGrath	Shepardson
Ahern	Day	Hammond	McKeon	Shlivek
Allen	DeLano	Heaın	Merritt	Shortt
Beach	Donovan	Herrick J J	Miller	Smith A E
Blauvelt	Drummond	Herrick W R	Monczynski	Smith T K
Boylan	Ebbetts	Higgins	Mork	Stivers
Brace	Egan	Hinman	Murray	Sullivan
Brennan	Evans	Hollmann	Myers	Sweet
Brereton	Fay	Hoyt	Neupert	Thorn
Bridenbecker	Filley	Huber	Nolan	Trombly
Brooks	Fitzpatrick	Jackson	O'Connor	Turley
Brown	Foley	Jameson	O'Neill J J	Ward
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Waters F A
Butler	Geatons	Keys	Parker A	Waters R B
Carew	Gerhardt	Kopp	Parker J S	Wende
Chanler	Goldberg	Lansing	Patrie	Wheeler
Coffey	Goodman	LaReau	Phillips C W	White
Collin	Goodwin	Lincoln	Phillips J S	Wilson
Colné	Gould	Macdonald	Pierce	Winters
Connell	Graubard	Manley	Saunders	Yale
Constantine	Gray	Martin	Seeley	Yeomans
Cosad	Gregg	McDaniels	Shannon	Young
Cross	Hackett	McElligott	Sheide	Zorn
Cuvillier	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 147, Rec. No. 68) entitled "An act to amend the Code of Civil Procedure, in relation to the jurisdiction of County Courts," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122
NOES 00

Those who voted in the affirmative were:

Adler	Dawson	Hart	McGrath	Shepardson
Ahern	Day	Hammond	McKeon	Shlivek
Allen	DeLano	Hearn	Merritt	Shortt
Beach	Donovan	Herrick J J	Miller	Smith A E
Blauvelt	Drummond	Herrick W R	Monczynski	Smith T K
Boylan	Ebbetts	Higgins	Mork	Stivers
Brace	Egan	Hinman	Murray	Sullivan
Brennan	Evans	Hollmann	Myers	Sweet
Brereton	Fay	Hoyt	Neupert	Thorn
Bridenbecker	Filley	Huber	Nolan	Trombly
Brooks	Fitzpatrick	Jackson	O'Connor	Turley
Brown	Foley	Jameson	O'Neill J J	Ward
Bryant	Friedman	Jones	O'Neil M A	Warren
Bush	Fry	Kennedy	Pappert	Waters F A
Butler	Geatons	Keys	Parker A	Waters R B
Carew	Gerhardt	Kopp	Parker J S	Wende
Chanler	Goldberg	Lansing	Patrie	Wheeler
Coffey	Goodman	LaReau	Phillips C W	White
Collin	Goodwin	Lincoln	Phillips J S	Wilson
Colné	Gould	Macdonald	Pierce	Winters
Connell	Graubard	Manley	Saunders	Yale
Constantine	Gray	Martin	Seeley	Yeomans
Cosad	Gregg	McDaniels	Shannon	Young
Cross	Hackett	McElligott	Sheide	Zorn
Cuvillier	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 176, Rec. No. 31) entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section two of article six of the Constitution, in relation to assignment of justices of the Supreme Court to hold Special and

Trial Terms," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119
NOES 3

Those who voted in the affirmative were:

Adler	Cuvillier	Hackett	McElligott	Shepardson
Ahern	Dawson	Haines	McGrath	Shlivek
Allen	Day	Hart	McKeon	Shortt
Beach	DeLano	Hammond	Merritt	Smith A E
Blauvelt	Donovan	Hearn	Miller	Smith T K
Boylan	Drummond	Herrick J J	Monczynski	Stivers
Brace	Ebbetts	Herrick W R	Mork	Sullivan
Brennan	Egan	Higgins	Myers	Sweet
Brereton	Evans	Hollmann	Neupert	Thorn
Bridenbecker	Fay	Hoyt	Nolan	Trombly
Brooks	Filley	Huber	O'Connor	Turley
Brown	Fitzpatrick	Jackson	O'Neill J J	Warren
Bryant	Foley	Jameson	O'Neil M A	Waters F A
Bush	Friedman	Jones	Pappert	Waters R B
Butler	Fry	Kennedy	Parker A	Wende
Carew	Geatons	Keys	Parker J S	Wheeler
Chanler	Gerhardt	Kopp	Patrie	White
Coffey	Goldberg	Lansing	Phillips C W	Wilson
Collin	Goodman	LaReau	Phillips J S	Winters
Colné	Goodwin	Lincoln	Pierce	Yale
Connell	Gould	Macdonald	Saunders	Yeomans
Constantine	Graubard	Manley	Seeley	Young
Cosad	Gray	Martin	Shannon	Zorn
Cross	Gregg	McDaniels	Sheide	

Those who voted in the negative were:

Hinman	Murray	Ward

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 623, Rec. No. 74) entitled "An act to amend the General Corporation Law, in relation to revival of corporate existence," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121
NOES 1

Those who voted in the affirmative were:

Adler	Dawson	Haines	McElligott	Shepardson
Ahern	Day	Hart	McGrath	Shlivek
Allen	DeLano	Hammond	McKeon	Shortt
Beach	Donovan	Hearn	Merritt	Smith A E
Blauvelt	Drummond	Herrick J J	Miller	Smith T K
Boylan	Ebbetts	Herrick W R	Monczynski	Stivers
Brace	Egan	Higgins	Mork	Sullivan
Brennan	Evans	Hinman	Myers	Sweet
Brereton	Fay	Hollmann	Neupert	Thorn
Bridenbecker	Filley	Hoyt	Nolan	Trombly
Brooks	Fitzpatrick	Huber	O'Connor	Turley
Brown	Foley	Jackson	O'Neill J J	Ward
Bryant	Friedman	Jameson	O'Neil M A	Warren
Bush	Fry	Jones	Pappert	Waters F A
Butler	Geatons	Kennedy	Parker A	Waters R B
Carew	Gerhardt	Keys	Parker J S	Wende
Chanler	Goldberg	Kopp	Patrie	Wheeler
Coffey	Goodman	Lansing	Phillips C W	White
Collin	Goodwin	LaReau	Phillips J S	Wilson
Colné	Gould	Lincoln	Pierce	Winters
Connell	Graubard	Macdonald	Saunders	Yale
Constantine	Gray	Manley	Seeley	Yeomans
Cosad	Gregg	Martin	Shannon	Young
Cross	Hackett	McDaniels	Sheide	Zorn
Cuvillier				

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. A. E. Smith, the House adjourned until Tuesday, March 28th, at 11 o'clock A. M.

TUESDAY, MARCH 28, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Charles Franklin Shaw.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the State Architect, which was laid upon the table and ordered printed.

(See Senate Document No. 38.)

Also, the Forty-fourth Annual Report of the Institution for Deaf-Mutes of New York city, which was laid upon the table and ordered printed.

(See Assembly Document No. 45.)

Mr. Speaker presented the following communication:

NEW YORK, *March* 28, 1911.

To the Speaker of the Assembly, Albany, N. Y.:

Deeply touched by the resolution adopted by the Assembly to send to the Italian nation in the name of the people of the State of New York good wishes and felicitations on occasion of her jubilee, we beg to express to all our members of the Assembly our gratitude and the gratitude of all our countrymen.

JOHN VICARIO,
Editor of "Il Telegrafo",
New York, N. Y.

Mr. Ahern introduced a bill entitled "An act to amend the Public Health Law, in relation to statistics of deaths occurring within six months after the use of any serum, antitoxin or vaccine" (Int. No. 1210), which was read the first time and referred to the committee on public health.

Mr. Constantine introduced a bill entitled "An act to amend the Railroad Law, in relation to extending the time for certain companies to begin and finish the construction of their railroads" (Int. No. 1211), which was read the first time and referred to the committee on railroads.

Mr. Cuvillier introduced a bill entitled "An act to establish a commission to inquire into the cause of the fire in the city of New York on Washington place which occurred on March twenty-fifth, nineteen hundred and eleven; to investigate and fix the responsibility for the loss of life at said fire; and to recommend such legislation for the safety of lives in factories and large buildings in the city of New York" (Int. No. 1212), which was read the first time and referred to the committee on ways and means.

Mr. Farrell introduced a bill entitled "An act in relation to

excise taxes assessed upon the business of trafficking in liquors for the year beginning October first, nineteen hundred and ten" (Int. No. 1213), which was read the first time and referred to the committee on excise.

Mr. Lansing introduced a bill entitled "An act to incorporate the Federal Council of the Churches of Christ in America" (Int. No. 1214), which was read the first time and referred to the committee on the judiciary.

Mr. A. J. Levy introduced a bill entitled "An act to amend the Insanity Law, relative to the appointment of resident officers of State hospitals for the insane" (Int. No. 1215), which was read the first time and referred to the committee on the judiciary.

Mr. Manley introduced a bill entitled "An act to amend the Benevolent Orders Law, in relation to mortgaging property" (Int. No. 1216), which was read the first time and referred to the committee on the judiciary.

Mr. Seeley introduced a bill entitled "An act to revise the charter of the city of Corning" (Int. No. 1217), which was read the first time and referred to the committee on affairs of cities.

Mr. Shlivek introduced a bill entitled "An act to amend the Judiciary Law, in relation to coroner's jurors in the county of New York" (Int. No. 1218), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Public Health Law, in relation to regulating the furnishing of towels in public lavatories" (Int. No. 1219), which was read the first time and referred to the committee on public health.

Also, "An act to amend the Banking Law, in relation to depositors" (Int. No. 1220), which was read the first time and referred to the committee on banks.

Mr. Sweet introduced a bill entitled "An act making an appropriation for highway improvement, in expediting the building of State route number thirty-four" (Int. No. 1221), which was read the first time and referred to the committee on ways and means.

Mr. Ebbets introduced a bill entitled "An act to amend the Penal Law, in relation to averaging the index of meters" (Int. No. 1222), which was read the first time and referred to the committee on codes.

Mr. McGrath introduced a bill entitled "An act to amend the Labor Law, in relation to actions by employees" (Int. No. 1223), which was read the first time and referred to the committee on the judiciary.

Mr. Butler introduced a bill entitled "An act to amend section one of chapter six hundred and fifty-five of the Laws of nineteen hundred, entitled 'An act to make the office of county clerk of Broome county a salaried office, and regulating the management of said office,' in relation to special deputies" (Int. No. 1224), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Lien Law, in relation to the protection of persons furnishing materials and labor for the construction or repair of public buildings or other public works" (Int. No. 1225), which was read the first time and referred to the committee on the judiciary.

Mr. Gurnett introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to breeders of game and the increase of game and game fish" (Int. No. 1226), which was read the first time and referred to the committee on forestry, fisheries and game.

Mr. Jackson introduced a bill entitled "An act to authorize the city of Buffalo to discontinue a part of Quincy street" (Int. No. 1227), which was read the first time and referred to the committee on affairs of cities.

Also, "An act authorizing the city of Buffalo to borrow money by issuing bonds in sums not exceeding in the aggregate one hundred thousand dollars, for the purpose of improving playgrounds in said city, and acquiring additional lands therefor" (Int. No. 1228), which was read the first time and referred to the committee on affairs of cities.

Mr. Hammond introduced a bill entitled "An act constituting the charter of the city of New York" (Int. No. 1229), which was read the first time and referred to the committee on affairs of cities.

Mr. Weil introduced a bill entitled "An act to amend the Penal Law, in relation to prohibiting corporations and voluntary associations from practicing law" (Int. No. 1230), which was read the first time and referred to the committee on codes.

Mr. Wende introduced a bill entitled "An act to amend the Election Law, in respect to election officers in the county of Monroe" (Int. No. 1231), which was read the first time and referred to the committee on the judiciary.

Mr. Yale introduced a bill entitled "An act to amend chapter one hundred and eighty of the Laws of nineteen hundred, entitled 'An act in relation to unpaid taxes in the towns of the county of Putnam,' in relation to the charge for publishing notice of sale" (Int. No. 1232), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. A. E. Smith introduced a bill entitled "An act to amend the Election Law, in relation to enrollments, party nominations and primary elections" (Int. No. 1233), which was read the first time and referred to the committee on the judiciary.

Mr. Wende, from the committee on labor and industry, to which was referred Assembly bill (No. 319, Int. No. 318) introduced by Mr. Brooks, entitled "An act to amend the Labor Law, in relation to fire drills and establishment of fire alarm systems in factories and mercantile establishments," reported in favor of the passage of the same, with the following amendments:

On page 1, at the end of line 7, insert "in any city" in italics.

On page 2, line 5, after the word "an" insert "automatic or" in italics.

On page 2, line 16, strike out the word "weekly" and insert instead thereof the word "monthly" in italics.

On page 2, in line 18, strike out the word "fifty" and insert instead thereof the words "two hundred" in italics.

On page 2, in line 21, strike out the word "fifty" and insert instead thereof the words "two hundred" in italics.

On page 2, in line 21, strike out the words "week for each week" and insert the words "month for each month" in italics.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Gurnett, from the committee on forestry, fisheries and game, to which was referred Assembly bill (No. 479, Int. No. 467) introduced by Mr. Miller, entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish in certain waters of Chenango, Otsego and Madison counties," reported in favor of the passage of the same, with the following amendments:

Page 2, line 9, strike out "fifteenth," and insert "first".

Page 3, line 5, strike out after word "Otsego" the "comma" and same line after "comma" strike out the words "but not above the boundary line between".

Page 3, line 6, strike out "Chenango and Madison counties" and insert in place thereof "as far up as the northern and eastern boundaries of the town of Winfield in Herkimer county, and in the Susquehanna river in and between the counties of Otsego and Delaware."

Page 3, line 9, strike out "and" and insert in place thereof "comma".

Page 3, line 9, after the words "Otsego county" insert the words "as far up as Worcester, in the Butternut creek in Otsego county as far up as Garrattsville and in Wharton creek in Otsego county as far up as West Burlington."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 409, Int. No. 400), entitled "An act to amend the Insurance Law, in relation to establishing the office of State fire marshal, defining his powers and duties, and providing for his compensation and the maintenance of his office," reported the same with the following amendments:

Page 2, line 20, insert after word "office" the following: "for a period of four years or".

Page 10, between lines 15 and 16 insert the following:

"§ 2. This act shall not apply to cities having more than one million inhabitants, which maintain a municipal fire marshal."

Line 16, make "§ 2" read "§ 3".

and requests that said bill be recommittee to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Hoey, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Hoey (No. 406, Int. No. 397), entitled "An act to amend the Insurance Law, by providing for the admission of certain mutual fire insurance corporations of other States," reported the same with the following amendments:

Page 2, line 13, insert bracket "[" before the word "and" and before word "as" "]".

Page 4, line 1, insert before word "have" the following: "(a)" in italic.

Page 4, line 2, insert semi-colon after word "risks"; insert after word "and" the following: "(b)" in italic.

Page 4, line 3, insert semi-colon after word "years"; insert after word "and" the following: "(c)" in italic.

Page 4, line 6, insert after word "and" the following: "(d)" in italic.

Page 4, line 10, insert semi-colon after word "policy", strike out all after word "and" and insert the following: "(e) in addition to maintaining such unearned premium reserve fund, shall either keep on deposit for the benefit of all its policyholders with the Superintendent of Insurance of this State or with the Auditor, Comptroller or general fiscal officer of the State under the laws of which it is incorporated, the sum of two hundred thousand dollars, or shall have a surplus or other net assets of at least fifty thousand dollars and in addition contingent assets of at least fifty thousand dollars in the form of the obligations of policyholders to pay such amount when lawfully assessed therefor; and (f) shall have net and contingent assets, which together with the unearned premium fund shall equal one per centum of the total insurance in force; and (g) in the event that such company does not keep on deposit the sum of two hundred thousand dollars as in 'e' aforesaid it" in italics.

Page 4, strike out lines 11 to 20.

Page 4, line 21, strike out words in italics "of the total insurance in force; and".

Page 4, line 26, after word "property" insert the following: "not protected by automatic sprinklers" in italics.

Page 5, between lines 12 and 13, insert in italics new paragraph to read as follows: "The deposit or the surplus of any such company so authorized to do business in this State, to the extent of the minimum amount thereof required by this section shall be invested and kept invested in securities of the kind and character in which domestic companies are required to invest as minimum capital investments by section sixteen of this chapter."

Page 5, line 20, strike out bracket before and after word "one"; strike out word "three" in italics.

Page 5, line 21, strike out bracket before and after word "gross" and strike out word "net" in italics.

Page 5, line 22, strike out words "and retained" in italics.

Page 5, line 25, change period to comma, strike out balance of line and insert in italics the following: "Except that any company so authorized to do business in this State which is incorporated under the laws of any other State, which taxes such com-

pany therein upon the gross premiums collected by it less all premiums and dividends returned on policies cancelled or expired, shall not be required to pay under this section any different or higher rate, provided however that in no event shall such tax be less than three per centum of the net cost of insurance to the policyholder."

Page 6, line 5, strike out brackets.
Page 6, line 6, strike out bracket and word " net " in italics.
Page 6, line 7, strike out words " and retained " in italics.
Page 6, line 8, strike out bracket.
Page 6, line 10, strike out bracket.
Page 6, strike out lines 24 to 26.
Page 7, strike out lines 1 to 22.
Page 7, line 23, strike out " 4 " and insert " 3 ".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. A. E. Smith (No. 1085, Int. No. 976), entitled "An act making an appropriation for the improvement of the canals."

Also, the bill introduced by Mr. Wende (No. 693, Int. No. 657), entitled "An act to legalize, ratify and confirm the proceedings of the inhabitants of school district number six of the town of West Seneca, in the county of Erie, its board of trustees, officers and agents, in the matter of the issuance and sale of the bonds of said district in the sum of eleven thousand and fifty dollars, for the purpose of paying the purchase price of an addition to the site of the high school, to legalize such bonds, and to provide for the payment of the principal and interest of the same."

Also, the bill introduced by Mr. Hinman (No. 1198, Int. No. 1033) entitled "An act to amend chapter one hundred and thirty-seven of the Laws of eighteen hundred and sixty-one, entitled 'An act to empower Masters Lodge Number Five of Free and Accepted Masons, in the city of Albany, to hold and convey real estate,' in relation to the election of trustees."

Also, the bill introduced by Mr. Bush (No. 528, Int. No. 513), entitled "An act to amend the Public Health Law, relative to unlawful practice of veterinary medicine."

Also, the bill introduced by Mr. Goodwin (No. 453, Int. No.

444), entitled "An act to amend section three of title four of chapter eight hundred and eighteen of the Laws of eighteen hundred and sixty-eight, entitled 'An act to incorporate the village of Port Chester,' in relation to the collection of taxes in said village."

Also, the bill introduced by Mr. Oliver (No. 1240, Int. No. 1073), entitled "An act to amend the Executive Law, in relation to examiners in the office of the Comptroller."

Also, the bill introduced by Mr. Lent (No. 896, Int. No. 806), entitled "An act to incorporate the Rite of Adoption of the World, Order of the Amaranth."

Also, the bill introduced by Mr. Goodwin (No. 776, Int. No. 709), entitled "An act to set over and cede lands to the village of Port Chester, New York, and to authorize the said village to lay out one or more highways thereover and thereon and to issue bonds of the village to pay a part or proportion of the expense of opening and laying out of the said highways and to authorize the board of trustees of the said village to fix and establish an assessment district on which the balance of such expense will be imposed."

Also, the bill introduced by Mr. Neupert (No. 1205, Int. No. 1040), entitled "An act act to authorize the Adjutant-General to reopen, try and determine the claim made by Anthony J. Ross, private, Company E, Seventy-fourth Regiment Infantry, National Guard, for expenses resulting from injuries received during service."

Also, the bill introduced by Mr. Merritt (No. 478, Int. No. 466), entitled "An act to provide for the preparation, printing and distribution of a report of the dedication of the New York State central historical memorial and reappropriating an unexpended balance to defray the expenses therefor."

Also, the bill introduced by Mr. Neupert (No. 825, Int. No. 753), entitled "An act to amend chapter sixty-two of the Laws of nineteen hundred and nine, entitled 'An act in relation to taxation, constituting chapter sixty of the Consolidated Laws,' in relation to bank taxes."

Also, the bill introduced by Mr. Merritt (No. 463, Int. No. 454), entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes."

Also, the bill introduced by Mr. Sullivan (No. 112, Int. No.

111), entitled "An act to amend the Forest, Fish and Game Law, in relation to the taking of English snipe in certain towns of the counties of Erie and Chautauqua."

Also, the bill introduced by Mr. Waring (No. 960, Int. No. 869), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking quail in Dutchess and Ulster counties."

Also, the bill introduced by Mr. A. J. Levy (No. 899, Int. No. 809), entitled "An act to amend the Judiciary Law, in relation to salaries of the official interpreters in the court of general sessions of the peace in and for the county of New York."

Also, the bill introduced by Mr. Shannon (No. 1220, Int. No. 1055), entitled "An act to amend chapter seven hundred and eighty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Bath, in the county of Steuben, and to repeal certain acts and parts of acts,' in relation to providing for a firemen's fund with moneys raised by taxation in such village."

Also, the bill introduced by Mr. C. W. Phillips (No. 858, Int. No. 777), entitled "An act to amend chapter nine of the Laws of eighteen hundred and eighty-four, entitled 'An act to incorporate the Reynolds Library in the city of Rochester,' in relation to times for holding regular meetings of the trustees of said library."

Also, the bill introduced by Mr. Foley (No. 955, Int. No. 864), entitled "An act to amend the Code of Civil Procedure, in relation to appointment of confidential stenographer and typewriter operator."

Also, the bill introduced by Mr. Waring (No. 961, Int. No. 870), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking suckers with nets in Ulster county."

Also, the bill introduced by Mr. Donovan (No. 817, Int. No. 745), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section fourteen of article six of the Constitution, in relation to the County Court of Kings county."

Also, the bill introduced by Mr. Sullivan (No. 75, Int. No. 76), entitled "An act to amend the Forest, Fish and Game Law, in regard to open season for lake trout and whitefish."

Also, the bill introduced by Mr. Shannon (No. 305, Int. No. 304), entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing on Lake Keuka."

Also, the bill introduced by Mr. Foley (No. 1273, Int. No. 256), entitled "An act to amend the Personal Property Law, in relation to the application of funds collected for charitable or benevolent purposes."

Also, the bill introduced by Mr. Miller (No. 1148, Int. No. 1022), entitled "An act to amend the Personal Property Law, in relation to providing for trusts for care of cemetery and private burial lots outside of cemeteries."

Also, the bill introduced by Mr. Shannon (No. 303, Int. No. 302), entitled "An act to amend the Forest, Fish and Game Law, in relation to open season for fishing on Lake Keuka."

Also, the bill introduced by Mr. Mork (No. 763, Int. No. 701), entitled "An act to erect the county of the Bronx from the territory now comprised within the limits of the borough of the Bronx in the city of New York as constituted by chapter three hundred and seventy-eight of the Laws of eighteen hundred and ninety-seven, and all acts amendatory thereof and supplemental thereto."

Also, the bill introduced by Mr. Merritt (No. 1239, Int. No. 1072), entitled "An act to amend section seventy-three of the Forest, Fish and Game Law, by adding the town of Hopkinton, Saint Lawrence county, to be subject to the provisions of said section."

Also, the bill introduced by Mr. Bush (No. 1078, Int. No. 969), entitled "An act to amend the Public Health Law, in relation to vital statistics."

Also, the bill introduced by Mr. Geatons (Nos. 987, 1295, Int. No. 887), entitled "An act to amend chapter twenty-nine of the Laws of nineteen hundred and nine, entitled 'An act relating to municipal corporations, constituting chapter twenty-four of the Consolidated Laws,' in relation to exempt volunteer firemen."

Also, the bill introduced by Mr. Cheney (Nos. 393, 1296, Int. No. 384), entitled "An act to amend the County Law, in relation to the appointment of a journal clerk and necessary assistant clerks by a board of supervisors."

Also, the bill introduced by Mr. A. E. Smith (No. 1135, Int. No. 1009), entitled "An act making an appropriation for the protection of forests from fire," reported the same without recom-

mendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. Goodwin (No. 454, Int. No. 445), entitled "An act to amend section six of chapter five hundred and seventeen of the Laws of eighteen hundred and ninety-nine, entitled 'An act to authorize the paving or macadamizing of streets, avenues, highways and public places in the village of Port Chester, Westchester county, and to provide for the payment of the expense of the same,' in relation to the rate of interest of certificates of indebtedness or assessment bonds therein authorized to be issued," reported the same with the following recommendations:

On page 2, line 6, insert " four " in brackets following " exceeding ", also in line 6 italicize " five ".

On page 2, line 22, change " or " to " of ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McGrath, from the committee on revision, to which was referred the bill introduced by Mr. A. E. Smith (No. 1084, Int. No. 975), entitled "An act making an appropriation for the improvement of the canals," reported the same with the following recommendation:

On page 1, line 9, strike out " sale of bonds, as provided in said act and for the purpose ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

" Concurrent resolution of the Senate and Assembly proposing an amendment to section fourteen of article six of the Constitution, in relation to the County Court of Kings county." (No. 817, Int. No. 745.)

"An act to amend the Forest, Fish and Game Law, in relation to fishing on Lake Keuka." (No. 305, Int. No. 304.)

"An act to incorporate the Rite of Adoption of the World, Order of the Amaranth." (No. 896, Int. No. 806.)

"An act to amend the Forest, Fish and Game Law, in relation to open season for fishing on Lake Keuka." (No. 303, Int. No. 302.)

"An act to amend the Forest, Fish and Game Law, in regard to open season for lake trout and whitefish." (No. 75, Int. No. 76.)

"An act to amend the Forest, Fish and Game Law, in relation to taking suckers with nets in Ulster county." (No. 961, Int. No. 870.)

"An act to amend the Forest, Fish and Game Law, in relation to the taking of English snipe in certain towns of the counties of Erie and Chautauqua." (No. 112, Int. No. 111.)

"An act to amend the Public Health Law, in relation to vital statistics." (No. 1078, Int. No. 969.)

"An act to authorize the Adjutant-General to reopen, try and determine the claim made by Anthony J. Ross, private, Company E, Seventy-fourth Regiment Infantry, National Guard, for expenses resulting from injuries received during service." (No. 1205, Int. No. 1040.)

"An act to amend the Public Health Law, relative to unlawful practice of veterinary medicine." (No. 528, Int. No. 513.)

"An act to amend section three of title four of chapter eight hundred and eighteen of the Laws of eighteen hundred and sixty-eight, entitled 'An act to incorporate the village of Port Chester,' in relation to the collection of taxes in said village." (No. 453, Int. No. 444.)

"An act to amend the Executive Law, in relation to examiners in the office of the Comptroller." (No. 1240, Int. No. 1073.)

"An act making an appropriation for highway improvement in expediting the building of certain State routes." (No. 735, Int. No. 117.)

"An act to amend chapter five hundred and seventy-two of the Laws of nineteen hundred and two, entitled 'An act to revise and amend an act to incorporate the city of Middletown and the acts amendatory thereof,' generally." (No. 1212, Int. No. 1047.)

"An act to amend the Code of Civil Procedure, in relation to appointment of confidential stenographer and typewriter operator." (No. 955, Int. No. 864.)

"An act to amend section seventy-three of the Forest, Fish and Game Law, by adding the town of Hopkinton, Saint Lawrence

county, to be subject to the provisions of said section." (No. 1239, Int. No. 1072.)

"An act to erect the county of the Bronx from the territory now comprised within the limits of the borough of the Bronx in the city of New York, as constituted by chapter three hundred and seventy-eight of the Laws of eighteen hundred and ninety-seven, and all acts amendatory thereof and supplemental thereto." (No. 763, Int. No. 701.)

"An act making an appropriation for the improvement of the canals." (No. 1085, Int. No. 96.)

"An act to amend chapter sixty-two of the Laws of nineteen hundred and nine, entitled 'An act in relation to taxation, constituting chapter sixty of the Consolidated Laws,' in relation to bank taxes." (No. 825, Int. No. 753.)

"An act to amend the Judiciary Law, in relation to salaries of the official interpreters in the court of general sessions of the peace in and for the county of New York." (No. 899, Int. No. 809.)

"An act to amend chapter one hundred and thirty-seven of the Laws of eighteen hundred and sixty-one, entitled 'An act to empower Masters Lodge Number Five of Free and Accepted Masons, in the city of Albany, to hold and convey real estate,' in relation to the election of trustees." (No. 1198, Int. No. 1033.)

"An act to amend the Personal Property Law, in relation to providing for trusts for care of cemetery and private burial lots outside of cemeteries." (No. 1148, Int. No. 1022.)

"An act to amend the County Law, in relation to the appointment of a journal clerk and necessary assistant clerks by a board of supervisors." (No. 1296, Int. No. 384.)

"An act to legalize, ratify and confirm the proceedings of the inhabitants of school district number six of the town of West Seneca, in the county of Erie, its board of trustees, officers and agents, in the matter of the issuance and sale of the bonds of said district in the sum of eleven thousand and fifty dollars, for the purpose of paying the purchase price of an addition to the site of the high school, to legalize such bonds, and to provide for the

payment of the principal and interest of the same." (No. 693, Int. No. 657.)

"An act to provide for the preparation, printing and distribution of a report of the dedication of the New York State central historical memorial, and reappropriating an unexpended balance to defray the expenses therefor." (No. 478, Int. No. 466.)

"An act to amend the Forest, Fish and Game Law, in relation to taking quail in Dutchess and Ulster counties." (No. 960, Int. No. 869.)

"An act making an appropriation for the protection of forests from fire." (No. 1135, Int. No. 1009.)

"An act to amend the Personal Property Law, in relation to the application of funds collected for charitable or benevolent purposes." (No. 1273, Int. No. 256.)

"An act to amend chapter nine of the Laws of eighteen hundred and eighty-four, entitled 'An act to incorporate the Reynolds' Library in the city of Rochester,' in relation to times for holding regular meetings of the trustees of said library." (No. 858, Int. No. 777.)

"An act making an appropriation for highway improvement in expediting the building of certain State routes." (No. 463, Int. No. 454.)

"An act to set over and cede land to the village of Port Chester, New York, and to authorize the said village to lay out one or more highways thereover and thereon and to issue bonds of the village to pay a part or proportion of the expense of opening and laying out of the said highways, and to authorize the board of trustees of the said village to fix and establish an assessment district on which the balance of such expense will be imposed." (No. 776, Int. No. 709.)

"An act to amend chapter seven hundred and eighty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Bath, in the county of Steuben, and to repeal certain acts and parts of acts,' in relation to providing for a firemen's fund with moneys raised by taxation in such village." (No. 1220, Int. No. 1055.)

"An act to amend chapter twenty-nine of the Laws of nineteen hundred and nine, entitled 'An act relating to municipal corporations, constituting chapter twenty-four of the Consolidated Laws,' in relation to exempt volunteer firemen." (No. 1295, Int. No. 887.)

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Donnelly	Heyman	Merritt	Smith T K
Ahern	Donovan	Higgins	Miller	Spielberg
Allen	Drummond	Hinman	Monczynski	Stivers
Baumes	Ebbetts	Hoey	Murray	Sullivan
Beach	Egan	Hollmann	Myers	Sweet
Blauvelt	Evans	Hoyt	Neupert	Talmage
Boylan	Fay	Huber	Nolan	Terry
Brace	Filley	Jackson	O'Connor	Thorn
Brennan	Fitzpatrick	Jameson	Oliver	Trombly
Brereton	Foley	Jones	O'Neill J J	Turley
Bridenbecker	Friedman	Kennedy	O'Neil M A	Walker
Brooks	Fry	Keys	Pappert	Ward
Brown	Geatons	Kopp	Parker A	Waring
Bryant	Gerhardt	Lansing	Parker J S	Warren
Bush	Goldberg	LaReau	Patrie	Washburn
Butler	Goldstein	Lent	Phillips C W	Waters F A
Carew	Goodwin	Levy A J	Phillips J S	Waters R B
Caughlan	Gould	Levy J	Pierce	Weil
Chanler	Graubard	Lincoln	Saunders	Wende
Coffey	Gray	Macdonald	Schifferdecker	Wheeler
Colné	Gregg	MacGregor	Seeley	White
Connell	Gurnett	Manley	Shannon	Wilson
Constantine	Hackett	Martin	Shea	Winters
Cosad	Hart	McCue	Sheide	Yale
Cross	Hammond	McDaniels	Shepardson	Yeomans
Cuvillier	Hearn	McElligott	Shlivek	Young
Dawson	Herrick J J	McGrath	Shortt	Zorn
Day	Herrick W R	McKeon	Smith A E	Speaker
DeLano				

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of twelve o'clock noon having arrived, the Senate and Assembly again met in joint assembly pursuant to law for the election of a Senator in the Congress of the United States in place of Chauncey M. Depew.

The President Pro Tem. of the Senate presiding.

The President directed the Clerk of the Senate to call the roll of the Senate; whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Black	Fiero	Harden	Long	Ramsperger	
Cullen	Gittins				7

FOR CHAUNCEY M. DEPEW.

Argetsinger	Emerson	Hewitt	Rose	Travis	
Bussey	Griffith	Hinman	Sage	Wainwright	
Coats	Hamilton	Ormrod	Thomas	Walters	
Cobb	Heacock	Platt			18

FOR MARTIN W. LITTLETON.

Burd	Duhamel	Roosevelt	3

FOR JOHN D. KERNAN.

Ferris	1

FOR M. J. O'BRIEN.

Loomis	Saxe	2

FOR WILLIAM SULZER.

McManus	1

FOR FRANK S. BLACK.

Allen	1

FOR AUGUSTUS VAN WYCK.

Bayne	Cronin	O'Brien	3

FOR F. B. HARRISON.

Frawley	1

FOR JOSEPH A. GOULDRIE.

Griffin	Stilwell	2

FOR JAMES E. RENWICK.

Harte	1

FOR J. W. GERARD.

McClelland	1

FOR J. B. STANCHFIELD.

Murtaugh	

FOR WILLIAM B. ELLISON.

Pollock	

FOR THEODORE SUTRO.

Sanner	White	2

FOR HERMAN RIDDER.

Wagner	2

FOR ISADOR STRAUS.

Sullivan C D	Sullivan T D	2

The Speaker directed the Clerk of the Assembly to call the roll of the Assembly; whereupon each member as his name was called rose in his place and nominated as follows:

FOR WILLIAM F. SHEEHAN.

Blauvelt	Goldstein	Hearn	Neupert	Sheide	
Bush	Gould	Jackson	O'Neill J J	Smith A E	
Caughlan	Gregg	Levy J	O'Neil M A	Washburn	
Dawson	Gurnett	Monczynski	Patrie	Wende	
Foley					21

FOR CHAUNCEY M. DEPEW.

Adler	Cross	Jones	Parker J S	Talmage	
Ahern	DeLano	Keys	Phillips C W	Thorn	
Allen	Ebbetts	Kopp	Phillips J S	Ward	
Baumes	Filley	Lansing	Pierce	Waring	
Brereton	Goodman	Lent	Shannon	Waters F A	
Brooks	Goodwin	Lincoln	Shea	Waters R B	
Brown	Gray	Macdonald	Shepardson	White	
Bryant	Haines	MacGregor	Shlivek	Wilson	
Butler	Hammond	Merritt	Smith T K	Winters	
Coffey	Hart	Murray	Stivers	Yale	
Colné	Higgins	Nolan	Sullivan	Yeomans	
Connell	Hinman	Pappert	Sweet	Young	
Constantine	Hoff				62

FOR A. B. PARKER.

Frisbie	1

FOR JOHN D. KERNAN.

Connell	LaReau	Manley	3

FOR MARTIN W. LITTLETON.

Beach	Day	Fry	Martin	Terry	
Brace	Drummond	Hollmann	Miller	Trombly	
Bridenbecker	Evans	Huber	O'Connor	Wheeler	
Cosad	Friedman	Kennedy	Saunders		19

FOR M. J. O'BRIEN.

Chanler	McCue	2

FOR WILLIAM SULZER.

Boylan	Spielberg	2

FOR AUGUSTUS VAN WYCK.

Donovan	Farrell	Gerken	Geatons	4

FOR JOSEPH A. GOULDEN.

Egan	Gerhardt	Mork	Turley	4

FOR JAMES E. RENWICK.

Fitzpatrick	Zorn	2

FOR J. W. GERARD.

Cuvillier	Hoey	McDaniels	3

FOR WILLIAM B. ELLISON.

Parker A	Shortt	2

FOR THEODORE SUTRO.

Schifferdecker	1

FOR ISADOR STRAUS.

Graubard	Levy A J	Oliver	3

FOR HERMAN RIDDER.

McGrath	Weil	2

FOR D. F. COHALAN.

Brennan	1

FOR E. M. GROUT.

Carew	1

FOR V. J. DOWLING.

Hoyt	Goldberg	Warren	3

FOR J. J. FITZGERALD.

Donnelly	Gillen	Heyman	Jameson	McKeon	
Fay					6

FOR J. A. O'GORMAN.

Hackett	1

FOR E. A. McCALL.

Herrick J J	1

FOR D-CADY HERRICK.

Herrick W R	Myers	2

FOR S. J. UNTERMYER.

McElligott	1

FOR JOHN A. DIX.

Seeley	1

FOR JOHN LYNDE.

Walker	1

Whole number of votes cast	197
Necessary to choice	99

	Senators.	Assemblymen.	Total.
For William F. Sheehan	7	21	28
For Chauncey M. Depew	18	62	80
For Alton B. Parker	0	1	1
For Martin W. Littleton	3	19	22
For Frank S. Black	1	0	1
For John D. Kernan	1	3	4
For Morgan J. O'Brien	2	2	4
For William Sulzer	1	2	3
For Augustus Van Wyck	3	4	7
For F. B. Harrison	1	0	1
For Joseph A. Goulden	2	4	6
For James E. Renwick	1	2	3
For J. W. Gerard	1	3	4
For J. B. Stanchfield	1	0	1
For William B. Ellison	1	2	3
For Theodore Sutro	2	1	3
For Isador Straus	2	3	5
For Herman Ridder	1	2	3
For D. F. Cohalan	0	1	1
For E. M. Grout	0	1	1
For J. J. Fitzgerald	0	6	6
For V. J. Dowling	0	3	3
For J. A. O'Gorman	0	1	1
For E. A. McCall	0	1	1
For D-Cady Herrick	0	2	2
For S. J. Untermyer	0	1	1
For John A. Dix	0	1	1
For John Lynde	0	1	1

A quorum of all the Senators and Members of Assembly being present and voting, the President of the Senate announced that the

joint assembly had made no choice for Senator in Congress to succeed Chauncey M. Depew whose term of office expired on the 4th day of March, 1911.

On motion of Mr. Frawley, the joint assembly took a recess until Wednesday, March 29th, at 12 o'clock.

The Senate having retired, Mr. Speaker announced that the Senate and Assembly had been in joint assembly for the election of a Senator in Congress, that a majority of the Senators and Members of Assembly being present and voting no choice had been made and that the joint assembly had adjourned to meet Wednesday, March 29th, at 12 o'clock noon in the Assembly Chamber.

The bill (No. 716, Int. No. 187) entitled "An act to amend the Greater New York charter, relative to the number of deputies in the department of docks and ferries," having been announced for a third reading,

On motion of Mr. Foley, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 892, Int. No. 802) entitled "An act to amend the Greater New York charter, relative to proceedings taken by commissioner of docks," was read the second time.

On motion of Mr. Hackett, said bill was placed on the order of third reading.

On motion of Mr. Hackett, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Herrick W R	McKeon	Smith A E
Ahern	Donnelly	Heyman	Merritt	Smith T K
Allen	Drummond	Higgins	Millet	Stivers
Baumes	Ebbetts	Hoey	Monczynski	Sullivan

Beach	Evans	Hoff	Mork	Sweet
Blauvelt	Fay	Hoyt	Murray	Talmage
Brace	Fitzpatrick	Huber	Myers	Thorn
Brereton	Foley	Jackson	Neupert	Trombly
Bridenbecker	Friedman	Jameson	Nolan	Turley
Brooks	Fry	Jones	Oliver	Walker
Brown	Geatons	Kennedy	O'Neill J J	Ward
Bryant	Gerhardt	Keys	O'Neil M A	Waring
Bush	Goldberg	Kopp	Parker J S	Warren
Butler	Goldstein	Lansing	Patrie	Washburn
Carew	Goodman	LaReau	Phillips C W	Waters F A
Caugh'an	Goodwin	Levy A J	Pierce	Waters R B
Chanler	Gould	Lincoln	Saunders	Weil
Coffey	Gray	Macdonald	Schifferdecker	Wende
Coll'n	Gregg	MacGregor	Seeley	White
Colnś	Gurnett	Manley	Shannon	Wilson
Connell	Hackett	Martin	Shea	Winters
Cons'antine	Hart	McCue	Sheide	Yale
Cosad	Hammond	McDaniels	Shepardson	Yeomans
Cuvillier	Hearn	McElligott	Shlivek	Young
Dawson	Herrick J J	McGrath	Shortt	Zorn
Day				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 937, Int. No. 846) entitled "An act to amend the Labor Law, in relation to the materials and labor used in and upon public works," was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 122, Int. No. 121) entitled "An act to amend the Code of Civil Procedure, in relation to actions to recover real property, and to repeal certain sections thereof," was read the second time.

On motion of Mr. Blauvelt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 837, Int. No. 372) entitled "An act to legalize certain proceedings of the village of Waterloo, in Seneca county, its legal voters, trustees, officers and agents relating to the establishment of a sewer system and disposal plant, including the making of contracts and issue of village bonds therefor, and to authorize the execution and sale of such bonds and provide for their payment from moneys to be raised by taxation in said village," was read the second time.

On motion of Mr. Cosad, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 230, Int. No. 228) entitled "An act to amend the Railroad Law, relative to the better protection of the lives of railroad employees and the minimum number of employees to be employed in the operation of certain trains," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 809, Int. No. 739) entitled "An act to amend the Penal Law, in relation to extortion and the punishment therefor," was read the second time.

On motion of Mr. Ward, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1199, Int. No. 1034) entitled "An act to amend the Insurance Law, in relation to the powers of casualty corporations," was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1201, Int. No. 1036) entitled "An act to amend the Insurance Law, in relation to the taxes to be paid by foreign insurance corporations, by providing that the tax to be paid by such corporations shall be upon the premiums received from business arising and done in this State," was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 425, Int. No. 420) entitled "An act to amend the Insurance Law, relative to proceedings against and the liquidation of delinquent insurance corporations," was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1188, Int. No. 393) entitled "An act to amend the Insurance Law by providing that persons, associations and corporations doing a fire insurance business in this State shall report the amounts at risk in congested value districts," was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 617, Int. No. 589) entitled "An act to amend the Election Law, in relation to primary elections," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third and referred to the committee on revision.

The bill (No. 1112, Int. No. 668) entitled "An act to amend the Election Law, in relation to creating a board of elections in Erie county and defining its powers and duties," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third and referred to the committee on revision.

The bill (No. 340, Int. No. 339) entitled "An act making an appropriation for highway improvement in expediting the building of a certain State route," was read the second time.

On motion of Mr. Washburn, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 157, Rec. No. 4) entitled "An act making an appropriation for highway improvement in expediting the building of a State highway or road from a point on route number four at the dividing line between Broome and Tioga counties to Geneva," was read the second time.

On motion of Mr. Gurnett, said bill was placed on the order of third reading.

At 2 o'clock P. M., on motion of Mr. A. E. Smith, the House took a recess of thirty minutes.

TWO O'CLOCK AND THIRTY MINUTES.

The House again convened.

The bill (No. 1092, Int. No. 353) entitled "An act to amend the Greater New York charter, in relation to allowances for blind persons and appropriations therefor, and making temporary provision for raising funds for the present increase of such allowances," was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 1

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McGrath	Shortt
Ahern	DeLano	Herrick W R	McKeon	Smith A E
Allen	Donnelly	Heyman	Merritt	Smith T K
Baumes	Drummond	Higgins	Miller	Stivers
Beach	Ebbetts	Hoey	Monczynski	Sullivan
Blauvelt	Evans	Hoff	Mork	Sweet
Brace	Fay	Hoyt	Murray	Talmage
Brereton	Fitzpatrick	Huber	Myers	Thorn
Bridenbecker	Foley	Jackson	Neupert	Trombly
Brooks	Friedman	Jameson	Nolan	Turley
Brown	Fry	Jones	Oliver	Walker
Bryant	Geatons	Kennedy	O'Neill J J	Waring
Bush	Gerhardt	Keys	O'Neil M A	Warren
Butler	Goldberg	Kopp	Parker J S	Washburn
Carew	Goldstein	Lansing	Patrie	Waters F A
Caughlan	Goodman	LaReau	Phillips C W	Waters R B
Cnanler	Goodwin	Levy A J	Pierce	Weil
Coffey	Gould	Lincoln	Saunders	Wende
Collin	Gray	Macdonald	Schifferdecker	White
Colné	Gregg	MacGregor	Seeley	Wilson
Connell	Gurnett	Manley	Shannon	Winters
Constantine	Hackett	Martin	Shea	Yale
Cosad	Hart	McCue	Sheide	Yeomans
Cuvillier	Hammond	McDaniels	Shepardson	Young
Dawson	Hearn	McElligott	Shlivek	Zorn

In the negative:

Ward

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1107, Int. No. 290) entitled "An act to amend the Public Health Law, in relation to statements in prescriptions by physicians," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 85
NOES 38

Those who voted in the affirmative were:

Ahern	Day	Gould	Levy J	Phillips C W
Allen	Donnelly	Graubard	Lincoln	Shannon
Baumes	Donovan	Hackett	Manley	Shlivek
Brace	Ebbetts	Haines	McCue	Shortt
Brennan	Egan	Hearn	McDaniels	Smith A E
Brereton	Farrell	Herrick J J	McElligott	Spielberg
Bridenbecker	Fay	Herrick W R	McGrath	Sullivan
Brooks	Filley	Heyman	Miller	Trombly
Caughlan	Foley	Higgins	Monczynski	Turley
Chanler	Friedman	Hoey	Mork	Walker
Coffey	Fry	Hoyt	Neupert	Waring
Collin	Geatons	Huber	Nolan	Warren
Constantine	Gerhardt	Jackson	O'Connor	Waters R B
Cosad	Gillen	Jameson	O'Neill J J	Weil
Cross	Goldberg	Kennedy	Pappert	Wheeler
Cuvillier	Goldstein	Keys	Parker A	Young
Dawson	Goodman	Levy A J	Parker J S	Zorn

Those who voted in the negative were:

Adler	DeLano	Lent	Saunders	Terry
Beach	Gerken	MacGregor	Seeley	Ward
Bryant	Gregg	McKeon	Shepardson	Waters F A
Bush	Gurnett	Merritt	Smith T K	Wende
Butler	Hart	Murray	Stivers	White
Carew	Hammond	O'Neil M A	Sweet	Wilson
Colné	Hollmann	Phillips J S	Talmage	Winters
Connell	Lansing	Pierce		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 157, Int. No. 156) entitled "An act to amend the Railroad Law, in relation to the construction of street surface railroads upon grounds occupied by public buildings or in public parks," having been announced for a third reading,

On motion of Mr. Caughlan, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 616, Int. No. 588) entitled "An act to amend the Code of Civil Procedure, in relation to exemptions and executions," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Herrick W R	McKeon	Smith A E
Ahern	Donnelly	Heyman	Merritt	Smith T K
Allen	Drummond	Higgins	Miller	Stivers
Baumes	Ebbetts	Hiley	Monczynski	Sullivan
Beach	Evans	Hoff	Mork	Sweet
Blauvelt	Fay	Hoyt	Murray	Talmage
Brace	Fitzpatrick	Huber	Myers	Thorn
Brereton	Foley	Jackson	Neupert	Trombly
Bridenbecker	Friedman	Jameson	Nolan	Turley
Brooks	Fry	Jones	Oliver	Walker
Brown	Geatons	Kennedy	O'Neill J J	Ward
Bryant	Gerhardt	Keys	O'Neil M A	Waring
Bush	Goldberg	Kopp	Parker J S	Warren
Butler	Goldstein	Lansing	Patrie	Washburn
Carew	Goodman	LaReau	Phillips C W	Waters F A
Caughlan	Goodwin	Levy A J	Pierce	Waters R B
Chanler	Gould	Lincoln	Saunders	Weil
Coffey	Gray	Macdonald	Schifferdecker	Wende
Collin	Gregg	MacGregor	Seeley	White
Colné	Gurnett	Manley	Shannon	Wilson
Connell	Hackett	Martin	Shea	Winters
Constantine	Hart	McCue	Sheide	Yale
Cosad	Hammond	McDaniels	Shepardson	Yeomans
Cuvillier	Hearn	McElligott	Shlivek	Young
Dawson	Herrick J J	McGrath	Shortt	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Merritt in the chair.

The bill (No. 1183, Int. No. 490) entitled "An act to amend the Code of Civil Procedure, in relation to motions for new trials," having been announced for a third reading,

Debate was had thereon.

Mr. A. E. Smith moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker in the chair.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 38
NOES 71

Those who voted in the affirmative were:

Blauvelt	Farrell	Hackett	Manley	Smith A E
Brennan	Fay	Herrick J J	McDaniels	Spielberg
Bush	Fitzpatrick	Heyman	McElligott	Sullivan
Carew	Foley	Huber	Myers	Trombly
Caughlan	Gestons	Jackson	Neupert	Turley
Cosad	Gerhardt	Jameson	O'Connor	Walker
Donnelly	Goldstein	Kennedy	O'Neill J J	Zorn
Egan	Gurnett	Levy A J		

Those who voted in the negative were:

Adler	Connell	Herrick W R	Mork	Stivers
Ahern	Constantine	Higgins	Murray	Sweet
Baumes	Cuvillier	Hollmann	O'Neil M A	Talmage
Boylan	DeLano	Hoyt	Pappert	Terry
Brace	Donovan	Jones	Phillips C W	Thorn
Brereton	Drummond	Keys	Phillips J S	Ward
Bridenbecker	Ebbetts	Lansing	Pierce	Waring
Brooks	Evans	Lent	Seeley	Warren
Brown	Filley	Levy J	Shannon	Waters R B
Bryant	Friedman	Lincoln	Shea	Weil
Butler	Gregg	MacGregor	Shepardson	Wende
Chanler	Haines	McGrath	Shlivek	White
Coffey	Hart	Merritt	Shortt	Wilson
Collin	Hammond	Miller	Smith T K	Young
Colné				

Mr. McElligott moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

The bill (No. 919, Int. No. 828) entitled "An act to authorize the police commissioner of the city of New York to allow a pension, from the New York police department relief fund, to Kate Mallon, the sister of Francis Mallon, a former member of such department," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124
NOES 2

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McGrath	Smith A E
Ahern	DeLano	Herrick W R	McKeon	Smith T K
Allen	Donnelly	Heyman	Merritt	Stivers
Baumes	Drummond	Higgins	Miller	Sullivan
Beach	Ebbetts	Hoey	Monczynski	Sweet
Blauvelt	Evans	Hoff	Mork	Talmage
Brace	Fay	Hoyt	Myers	Thorn
Brereton	Fitzpatrick	Huber	Neupert	Trombly
Bridenbecker	Foley	Jackson	Nolan	Turley
Brooks	Friedman	Jameson	Oliver	Walker
Brown	Fry	Jones	O'Neill J J	Waring
Bryant	Geatons	Kennedy	O'Neil M A	Warren
Bush	Gerhardt	Keys	Parker J S	Washburn
Butler	Goldberg	Kopp	Patrie	Waters F A
Carew	Goldstein	Lansing	Phillips C W	Waters R B
Caughlan	Goodman	LaReau	Pierce	Weil
Chanler	Goodwin	Levy A J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	White
Collin	Gray	Macdonald	Seeley	Wilson
Colné	Gregg	MacGregor	Shannon	Winters
Connell	Gurnett	Manley	Shea	Yale
Constantine	Hackett	Martin	Sheide	Yeomans
Cosad	Hart	McCue	Shepardson	Young
Cuvillier	Hammond	McDaniels	Shlivek	Zorn
Dawson	Hearn	McElligott	Shortt	

Those who voted in the negative were:

Murray Ward

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1077, Int. No. 968) entitled "An act to repeal chapter four hundred and thirty-two of the Laws of eighteen hundred and sixty-eight, entitled 'An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county,'" was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125
NOES 1

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McGrath	Smith A E
Ahern	DeLano	Herrick W R	McKeon	Smith T K
Allen	Donnelly	Heyman	Merritt	Stivers
Baumes	Drummond	Higgins	Miller	Sullivan
Beach	Ebbetts	Hoey	Monczynski	Sweet
Blauvelt	Evans	Hoff	Mork	Talmage
Brace	Fay	Hoyt	Myers	Thorn
Brereton	Fitzpatrick	Huber	Neupert	Trombly
Bridenbecker	Foley	Jackson	Nolan	Turley
Brooks	Friedman	Jameson	Oliver	Walker
Brown	Fry	Jones	O'Neill J J	Ward
Bryant	Geatons	Kennedy	O'Neil M A	Waring
Bush	Gerhardt	Keys	Parker J S	Warren
Butler	Goldberg	Kopp	Patrie	Washburn
Carew	Goldstein	Lansing	Phillips C W	Waters F A
Caughlan	Goodman	LaReau	Pierce	Waters R B
Chanler	Goodwin	Levy A J	Saunders	Weil
Coffey	Gould	Lincoln	Schifferdecker	Wende
Collin	Gray	Macdonald	Seeley	White
Colné	Gregg	MacGregor	Shannon	Wilson
Connell	Gurnett	Manley	Shea	Winters
Constantine	Hackett	Martin	Sheide	Yale
Cosad	Hart	McCue	Shepardson	Yeomans
Cuvillier	Hammond	McDaniels	Shlivek	Young
Dawson	Hearn	McElligott	Shortt	Zorn

In the negative:

Murray

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 441, Int. No. 432) entitled "An act to amend the General Business Law, in relation to rate of interest to be demanded or received by a pawnbroker," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104
NOES 14

Those who voted in the affirmative were:

Adler	Donovan	Haines	McKeon	Stivers
Allen	Drummond	Hammond	Merritt	Sweet
Baumes	Ebbetts	Herrick W R	Miller	Talmage

Beach	Egan	Heyman	Mork	Terry
Blauvelt	Evans	Hollmann	Murray	Thorn
Brace	Filley	Hoyt	Myers	Trombly
Brereton	Fitzpatrick	Huber	Nolan	Turley
Bridenbecker	Friedman	Jameson	O'Connor	Walker
Brooks	Fry	Jones	O'Neil M A	Ward
Brown	Gerhardt	Kennedy	Pappert	Warren
Bryant	Gerken	Keys	Parker J S	Waters F A
Bush	Gillen	Lansing	Phillips C W	Waters R B
Butler	Goldberg	Lent	Phillips J S	Weil
Carew	Goldstein	Levy A J	Seeley	Wheeler
Chanler	Goodman	Levy J	Shannon	White
Coffey	Goodwin	Macdonald	Shea	Wilson
Collin	Gould	Manley	Sheide	Winters
Colné	Graubard	McCue	Shepardson	Yale
Connell	Gray	McDaniels	Shlivek	Yeomans
Cosad	Gregg	McElligott	Smith T K	Young
DeLano	Gurnett	McGrath	Spielberg	

Those who voted in the negative were:

Brennan	Foley	Hoey	Parker A	Shortt
Caughlan	Hackett	Jackson	Pierce	Smith A E
Cuvillier	Herrick J J	O'Neill J J		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 864, Int. No. 783) entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to duties of assessors," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Herrick W R	McKeon	Smith A E
Ahern	Donnelly	Heyman	Merritt	Smith T K
Allen	Drummond	Higgins	Miller	Stivers
Baumes	Ebbetts	Hoey	Monczynski	Sullivan
Beach	Evans	Hoff	Mork	Sweet
Blauvelt	Fay	Hoyt	Murray	Talmage
Brace	Fitzpatrick	Huber	Myers	Thorn
Brereton	Foley	Jackson	Neupert	Trombly
Bridenbecker	Friedman	Jameson	Nolan	Turley
Brooks	Fry	Jones	Oliver	Walker
Brown	Geatons	Kennedy	O'Neill J J	Ward

Bryant	Gerhardt	Keys	O'Neil M A	Waring
Bush	Goldberg	Kopp	Parker J S	Warren
Butler	Goldstein	Lansing	Patrie	Washburn
Carew	Goodman	LaReau	Phillips C W	Waters F A
Caughlan	Goodwin	Levy A J	Pierce	Waters R B
Chanler	Gould	Lincoln	Saunders	Weil
Coffey	Gray	Macdonald	Schifferdecker	Wende
Collin	Gregg	MacGregor	Seeley	White
Colné	Gurnett	Manley	Shannon	Wilson
Connell	Hackett	Martin	Shea	Winters
Constantine	Hart	McCue	Sheide	Yale
Cosad	Hammond	McDaniels	Shepardson	Yeomans
Cuvillier	Hearn	McElligott	Shlivek	Young
Dawson	Herrick J J	McGrath	Shortt	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 638, Int. No. 606) entitled "An act to authorize school district number four of the town of Ashford, Cattaraugus county, to acquire for school purposes certain lands therein heretofore used for cemetery purposes," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Heyman	Merritt	Smith A E
Ahern	Donnelly	Higgins	Miller	Smith T K
Allen	Drummond	Hoey	Moncsynski	Stivers
Baumes	Ebbetts	Hoff	Mork	Sullivan
Beach	Evans	Hoyt	Murray	Sweet
Blauvelt	Fay	Huber	Myers	Talmage
Brace	Fitspatrick	Jackson	Neupert	Thorn
Brereton	Foley	Jameson	Nolan	Trombly
Bridenbecker	Friedman	Jones	O'Connor	Turley
Brooks	Fry	Kennedy	Oliver	Walker
Brown	Geatons	Keys	O'Neill J J	Ward
Bryant	Gerhardt	Kopp	O'Neil M A	Waring
Bush	Goldberg	Lansing	Parker J S	Warren
Butler	Goldstein	LaReau	Patrie	Washburn
Carew	Goodman	Levy A J	Phillips C W	Waters F A
Caughlan	Goodwin	Lincoln	Pierce	Waters R B
Chanler	Gould	Macdonald	Saunders	Weil
Coffey	Gray	MacGregor	Schifferdecker	Wende
Collin	Gregg	Manley	Seeley	White
Colné	Gurnett	Martin	Shannon	Wilson

Connell	Hackett	McCue	Shea	Winters
Constantine	Hart	McDaniels	Sheide	Yale
Cosad	Hammond	McElligott	Shepardson	Yeomans
Cuvillier	Hearn	McGrath	Shlivek	Young
Dawson	Herrick J J	McKeon	Shortt	Zorn
Day	Herrick W R			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 602, Int. No. 581) entitled "An act providing that the police commissioner of the city of New York in his discretion may reappoint Thomas G. Mellon, an ex-policeman of the city of New York, who resigned from said police department August twenty-first, eighteen hundred and ninety-five," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124
NOES 2

Those who voted in the affirmative were:

Adler	Day	Herrick J J	McGrath	Smith A E
Ahern	DeLano	Herrick W R	McKeon	Smith T K
Allen	Donnelly	Heyman	Merritt	Stivers
Baumes	Drummond	Higgins	Miller	Sullivan
Beach	Ebbetts	Hoey	Monczynski	Sweet
Blauvelt	Evans	Hoff	Mork	Talmage
Brace	Fay	Hoyt	Myers	Thorn
Brereton	Fitzpatrick	Huber	Neupert	Trombly
Bridenbecker	Foley	Jackson	Nolan	Turley
Brooks	Friedman	Jameson	Oliver	Walker
Brown	Fry	Jones	O'Neill J J	Waring
Bryant	Geatons	Kennedy	O'Neil M A	Warren
Bush	Gerhardt	Keys	Parker J S	Washburn
Butler	Goldberg	Kopp	Patrie	Waters F A
Carew	Goldstein	Lansing	Phillips C W	Waters R B
Caughlan	Goodman	LaReau	Pierce	Weil
Chanler	Goodwin	Levy A J	Saunders	Wende
Coffey	Gould	Lincoln	Schifferdecker	White
Collin	Gray	Macdonald	Seeley	Wilson
Colné	Gregg	MacGregor	Shannon	Winters
Connell	Gurnett	Manley	Shea	Yale
Constantine	Hackett	Martin	Sheide	Yeomans
Cosad	Hart	McCue	Shepardson	Young
Cuvillier	Hammond	McDaniels	Shlivek	Zorn
Dawson	Hearn	McElligott	Shortt	

Those who voted in the negative were:

Murray	Ward

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1063, Int. No. 957) entitled "An act to amend chapter two hundred and ninety-eight of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to the distribution of advertising matter in the city of New York,' in relation to such city as now constituted," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Herrick W R	McKeon	Smith A E
Ahern	Donnelly	Heyman	Merritt	Smith T K
Allen	Drummond	Higgins	Miller	Stivers
Baumes	Ebbetts	Hoey	Monczynski	Sullivan
Beach	Evans	Hoff	Mork	Sweet
Blauvelt	Fay	Hoyt	Murray	Talmage
Brace	Fitzpatrick	Huber	Myers	Thorn
Brereton	Foley	Jackson	Neupert	Trombly
Bridenbecker	Friedman	Jameson	Nolan	Turley
Brooks	Fry	Jones	Oliver	Walker
Brown	Geatons	Kennedy	O'Neill J J	Ward
Bryant	Gerhardt	Keys	O'Neil M A	Waring
Bush	Goldberg	Kopp	Parker J S	Warren
Butler	Goldstein	Lansing	Patrie	Washburn
Carew	Goodman	LaReau	Phillips C W	Waters F A
Caughlan	Goodwin	Levy A J	Pierce	Waters R B
Chanler	Gould	Lincoln	Saunders	Weil
Coffey	Gray	Macdonald	Schifferdecker	Wende
Collin	Gregg	MacGregor	Seeley	White
Colné	Gurnett	Manley	Shannon	Wilson
Connell	Hackett	Martin	Shea	Winters
Constantine	Hart	McCue	Sheide	Yale
Cosad	Hammond	McDaniels	Shepardson	Yeomans
Cuvillier	Hearn	McElligott	Shlivek	Young
Dawson	Herrick J J	McGrath	Shortt	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1034, Int. No. 930) entitled "An act to amend the Labor Law, relating to definitions," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 992, Int. No. 893) entitled "An act to amend the Labor Law, in relation to the lighting of factories," having been announced for a third reading,

On motion of Mr. Kopp, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1067, Int. No. 961) entitled "An act to amend the Highway Law, in relation to the description of route thirty-two to be constructed or improved by the State," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Herrick W R	McKeon	Smith A E
Ahern	Donnelly	Heyman	Merritt	Smith T K
Allen	Drummond	Higgins	Miller	Stivers
Baumes	Ebbetts	Hoey	Monczynski	Sullivan
Beach	Evans	Hoff	Mork	Sweet
Blauvelt	Fay	Hoyt	Murray	Talmage
Brace	Fitzpatrick	Huber	Myers	Thorn
Brereton	Foley	Jackson	Neupert	Trombly
Bridenbecker	Friedman	Jameson	Nolan	Turley
Brooks	Fry	Jones	Oliver	Walker
Brown	Geatons	Kennedy	O'Neill J J	Ward
Bryant	Gerhardt	Keys	O'Neil M A	Waring
Bush	Goldberg	Kopp	Parker J S	Warren
Butler	Goldstein	Lansing	Patrie	Washburn
Carew	Goodman	LaReau	Phillips C W	Waters F A
Caughlan	Goodwin	Levy A J	Pierce	Waters R B
Chanler	Gould	Lincoln	Saunders	Weil
Coffey	Gray	Macdonald	Schifferdecker	Wende
Collin	Gregg	MacGregor	Seeley	White
Colné	Gurnett	Manley	Shannon	Wilson
Connell	Hackett	Martin	Shea	Winters
Constantine	Hart	McCue	Sheide	Yale
Cosad	Hammond	McDaniels	Shepardson	Yeomans
Cuvillier	Hearn	McElligott	Shlivek	Young
Dawson	Herrick J J	McGrath	Shortt	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 373, Int. No. 365) entitled "An act to amend the Highway Law by the addition of a new State route in the counties of Chemung, Schuyler and Tompkins," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Herrick W R	McKeon	Smith T K
Ahern	Donnelly	Heyman	Merritt	Smith T K
Allen	Drummond	Higgins	Miller	Stivers
Baumes	Ebbetts	Hoey	Monczynski	Sullivan
Beach	Evans	Hoff	Mork	Sweet
Blauvelt	Fay	Hoyt	Murray	Talmage
Brace	Fitzpatrick	Huber	Myers	Thorn
Brereton	Foley	Jackson	Neupert	Trombly
Bridenbecker	Friedman	Jameson	Nolan	Turley
Brooks	Fry	Jones	Oliver	Walker
Brown	Geatons	Kennedy	O'Neill J J	Ward
Bryant	Gerhardt	Keys	O'Neil M A	Waring
Bush	Goldberg	Kopp	Parker J S	Warren
Butler	Goldstein	Lansing	Patrie	Washburn
Carew	Goodman	LaReau	Phillips C W	Waters F A
Caughlan	Goodwin	Levy A J	Pierce	Waters R B
Chanler	Gould	Lincoln	Saunders	Weil
Coffey	Gray	Macdonald	Schifferdecker	Wende
Collin	Gregg	MacGregor	Seeley	White
Colné	Gurnett	Manley	Shannon	Wilson
Connell	Hackett	Martin	Shea	Winters
Constantine	Hart	McCue	Sheide	Yale
Cosad	Hammond	McDaniels	Shepardson	Yeomans
Cuvillier	Hearn	McElligott	Shlivek	Young
Dawson	Herrick J J	McGrath	Shortt	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1300, Int. No. 377) entitled "An act to amend the Education Law, relative to the New York State teachers' retirement fund for public school teachers," having been announced for a third reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 622, Int. No. 594) entitled "An act to make legal, ratify and confirm the organization, acts and proceedings of union free school district number two of the town of Brookhaven, county of Suffolk, its board of education, officers and agents, in the matter of the issuance and sale of the bonds of said district, dated September first, nineteen hundred and ten, issued partly for the construction of a new schoolhouse in said district and partly for the purpose of a site therefor, to validate said bonds and provide for the raising of funds for their payment by taxation in said district," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Herrick W R	McKeon	Smith A E
Ahern	Donnelly	Heyman	Merritt	Smith T K
Allen	Drummond	Higgins	Miller	Stivers
Baumes	Ebbetts	Hoey	Monczynski	Sullivan
Beach	Evans	Hoff	Mork	Sweet
Blauvelt	Fay	Hoyt	Murray	Talmage
Brace	Fitzpatrick	Huber	Myers	Thorn
Brereton	Foley	Jackson	Neupert	Trombly
Bridenbecker	Friedman	Jameson	Nolan	Turley
Brooks	Fry	Jones	Oliver	Walker
Brown	Geatons	Kennedy	O'Neill J J	Ward
Bryant	Gerhardt	Keys	O'Neil M A	Waring
Bush	Goldberg	Kopp	Parker J S	Warren
Butler	Goldstein	Lansing	Patrie	Washburn
Carew	Goodman	LaReau	Phillips C W	Waters F A
Caughlan	Goodwin	Levy A J	Pierce	Waters R B
Chanler	Gould	Lincoln	Saunders	Weil
Coffey	Gray	Macdonald	Schifferdecker	Wende
Collin	Gregg	MacGregor	Seeley	White
Colné	Gurnett	Manley	Seeley	Wilson
Connell	Hackett	Martin	Shea	Winters
Constantine	Hart	McCue	Sheide	Yale
Cosad	Hammond	McDaniels	Shepardson	Yeomans
Cuvillier	Hearn	McElligott	Shlivek	Young
Dawson	Herrick J J	McGrath	Shortt	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1016, Int. No. 917) entitled "An act requiring the Board of Regents of the University of the State of New York to deliver to the State of South Carolina certain documents and records now in the State library," having been announced for a third reading,

On motion of Mr. W. R. Herrick, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 820, Int. No. 748) entitled "An act to amend chapter eighty-three of the Laws of nineteen hundred and one, entitled 'An act to provide for the improvement of the public highways in the county of Orange,' in relation to the rate of interest on the bonds to be issued under such act," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Herrick W R	McKeon	Smith A E
Ahern	Donnelly	Heyman	Merritt	Smith T K
Allen	Drummond	Higgins	Miller	Stivers
Baumes	Ebbetts	Hoey	Monczynski	Sullivan
Beach	Evans	Hoff	Mork	Sweet
Blauvelt	Fay	Hoyt	Murray	Talmage
Brace	Fitzpatrick	Huber	Myers	Thorn
Brereton	Foley	Jackson	Neupert	Trombly
Bridenbecker	Friedman	Jameson	Nolan	Turley
Brooks	Fry	Jones	Oliver	Walker
Brown	Geatons	Kennedy	O'Neill J J	Ward
Bryant	Gerhardt	Keys	O'Neil M A	Waring
Bush	Goldberg	Kopp	Parker J S	Warren
Butler	Goldstein	Lansing	Patrie	Washburn
Carew	Goodman	LaReau	Phillips C W	Waters F A
Caughlan	Goodwin	Levy A J	Pierce	Waters R B
Chanler	Gould	Lincoln	Saunders	Weil
Coffey	Gray	Macdonald	Schifferdecker	Wende
Collin	Gregg	MacGregor	Seeley	White
Colné	Herrick J J	McGrath	Shortt	Wilson
Day				

Connell	Gurnett	Manley	Shannon	Winters
Constantine	Hackett	Martin	Shea	Yale
Cosad	Hart	McCue	Sheide	Yeomans
Cuvillier	Hammond	McDaniels	Shepardson	Young
Dawson	Hearn	McElligott	Shlivek	Zorn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 821, Int. No. 749) entitled "An act to amend chapter two hundred and thirteen of the Laws of nineteen hundred and four, entitled 'An act to make the office of county clerk of Orange county a salaried office and regulating the management of said office and fixing the salary of said clerk and his assistants,' in relation to payments by said clerk into the treasury of said county of moneys received by him, less his disbursements," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Herrick W R	McKeon	Smith A E
Ahern	Donnelly	Heyman	Merritt	Smith T K
Allen	Drummond	Higgins	Miller	Stivers
Baumes	Ebbetts	Hoey	Monczynski	Sullivan
Beach	Evans	Hoff	Mork	Sweet
Blauvelt	Fay	Hoyt	Murray	Talmage
Brace	Fitzpatrick	Huber	Myers	Thorn
Brereton	Foley	Jackson	Neupert	Trombly
Bridenbecker	Friedman	Jameson	Nolan	Turley
Brooks	Fry	Jones	Oliver	Walker
Brown	Geatons	Kennedy	O'Neill J J	Ward
Bryant	Gerhardt	Keys	O'Neil M A	Waring
Bush	Goldberg	Kopp	Parker J S	Warren
Butler	Goldstein	Lansing	Patrie	Washburn
Carew	Goodman	LaReau	Phillips C W	Waters F A
Caughlan	Goodwin	Levy A J	Pierce	Waters R B
Chanler	Gould	Lincoln	Saunders	Weil
Coffey	Gray	Macdonald	Schifferdecker	Wende
Collin	Gregg	MacGregor	Seeley	White
Colné	Gurnett	Manley	Shannon	Wilson
Connell	Hackett	Martin	Shea	Winters
Constantine	Hart	McCue	Sheide	Yale
Cosad	Hammond	McDaniels	Shepardson	Yeomans
Cuvillier	Hearn	McElligott	Shlivek	Young
Dawson	Herrick J J	McGrath	Shortt	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1294, Int. No. 549) entitled "An act to amend the Code of Civil Procedure, in relation to actions for negligence," having been announced for a third reading,

On motion of Mr. Warren, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1337, Int. No. 266) entitled "An act to amend the Personal Property Law, in relation to sales of goods," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Herrick W R	McKeon	Smith A E
Ahern	Donnelly	Heyman	Merritt	Smith T K
Allen	Drummond	Higgins	Miller	Stivers
Baumes	Ebbetts	Hoey	Monczynski	Sullivan
Beach	Evans	Hoff	Mork	Sweet
Blauvelt	Fay	Hoyt	Murray	Talmage
Brace	Fitzpatrick	Huber	Myers	Thorn
Brereton	Foley	Jackson	Neupert	Trombly
Bridenbecker	Friedman	Jameson	Nolan	Turley
Brooks	Fry	Jones	Oliver	Walker
Brown	Geatons	Kennedy	O'Neill J J	Ward
Bryant	Gerhardt	Keys	O'Neil M A	Waring
Bush	Goldberg	Kopp	Parker J S	Warren
Butler	Goldstein	Lansing	Patrie	Washburn
Carew	Goodman	LaReau	Phillips C W	Waters F A
Caughlan	Goodwin	Levy A J	Pierce	Waters R B
Chanler	Gould	Lincoln	Saunders	Weil
Coffey	Gray	Macdonald	Schifferdecker	Wende
Collin	Gregg	MacGregor	Seeley	White
Colné	Gurnett	Manley	Shannon	Wilson
Connell	Hackett	Martin	Shea	Winters
Constantine	Hart	McCue	Sheide	Yale
Cosad	Hammond	McDaniels	Shepardson	Yeoman
Cuvillier	Hearn	McElligott	Shlivek	Youngs
Dawson	Herrick J J	McGrath	Shortt	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 911, Int. No. 822) entitled "An act to amend the County Law, in relation to official publications in Ulster county," having been announced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1253, Int. No. 683) entitled "An act to amend the Public Officers Law, in relation to holidays and the hours of employees of the State and the various civil subdivisions thereof, and the compensation therefor," having been announced,

Mr. Hoey moved that said bill be recommitted to the committee on general laws, with instructions to report the same forthwith, amended as follows:

In the title, second line, insert after the words " hours of " the word " certain ".

Page 2, line 2, insert after the word " thereof " the following: " in the labor class. Strike out on same line the words " including per diem em- ".

Strike out all of lines 3 and 4 except the words " shall not " at end of line 4.

Line 6, insert after the word " law " at end of line the following: " except as hereinafter provided ".

Line 7, strike out the word " they " and insert in place thereof the words " such employees ".

Line 10, insert after the word " employees " the following: " in the labor class ".

Line 11, strike out the words " allowed double com- ".

Line 12, strike out the words " compensation for such services " and insert in place thereof the following: " allowed extra compensation in addition to their regular wages ".

Line 13, strike out the words " including per diem employees, except " and insert in place thereof the following: " in the labor class and whenever ".

Strike out all of lines 14 and 15 except the word " the " at end of line 15.

Line 17, insert at the end of the word " ployee " the letter " s ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Shortt, from the committee on general laws, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1185, Int. No. 740) entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to bail in magistrates' courts in said city," having been announced,

Mr. Spielberg moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith, amended as follows:

On page 2 at line 2 after the words "New York" insert the following: "or a county judge in the counties of Kings, Queens and Richmond".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Chanler, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1109, Int. No. 53) entitled "An act to amend the Penal Law, in relation to kidnapping," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Herrick W R	McKeon	Smith A E
Ahern	Donnelly	Heyman	Merritt	Smith T K
Allen	Drummond	Higgins	Miller	Stivers
Baumes	Ebbetts	Hoey	Monczynski	Sullivan
Beach	Evans	Hoff	Mork	Sweet
Blauvelt	Fay	Hoyt	Murray	Talmage
Brace	Fitzpatrick	Huber	Myers	Thorn
Brereton	Foley	Jackson	Neupert	Trombly
Bridenbecker	Friedman	Jameson	Nolan	Turley
Brooks	Fry	Jones	Oliver	Walker
Brown	Geatons	Kennedy	O'Neill J J	Ward
Bryant	Gerhardt	Keys	O'Neil M A	Waring
Bush	Goldberg	Kopp	Parker J S	Warren
Butler	Goldstein	Lansing	Patrie	Washburn
Carew	Goodman	LaReau	Phillips C W	Waters F A
Caughlan	Goodwin	Levy A J	Pierce	Waters R B
Chanler	Gould	Lincoln	Saunders	Weil

Coffey	Gray	Macdonald	Schifferdecker	Wende
Collin	Gregg	MacGregor	Seeley	White
Colné	Gurnett	Manley	Shannon	Wilson
Co.nell	Hackett	Martin	Shea	Winters
Constantine	Hart	McCue	Sheide	Yale
Cosad	Hammond	McDaniels	Shepardson	Yeomans
Cuvillier	Hearn	McElligott	Shlivek	Young
Dawson	Herrick J J	McGrath	Shortt	Zorn
Day				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *March* 15, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill (No. 364, Int. No. 357), entitled "An act to make the office of county clerk of the county of Delaware a salaried office, and regulating the management of said office and fixing the salary of said clerk and his assistants."

JOHN A. DIX.

Said bill having been announced, Mr. Wheeler moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

Adler	DeLano	Herrick W R	McKeon	Smith A E
Ahern	Donnelly	Heyman	Merritt	Smith T K
Allen	Drummond	Higgins	Miller	Stivers
Baumes	Ebbetts	Hoey	Monczynski	Sullivan
Beach	Evans	Hoff	Mork	Sweet
Blauvelt	Fay	Hoyt	Murray	Talmage
Brace	Fitzpatrick	Huber	Myers	Thorn
Brereton	Foley	Jackson	Neupert	Trombly
Bridenbecker	Friedman	Jameson	Nolan	Turley
Brooks	Fry	Jones	Oliver	Walker
Brown	Geatons	Kennedy	O'Neill J J	Ward

Bryant	Gerhardt	Keys	O'Neil M A	Waring
Bush	Goldberg	Kopp	Parker J S	Warren
Butler	Goldstein	Lansing	Patrie	Washburn
Carew	Goodman	LaReau	Phillips C W	Waters F A
Caughlan	Goodwin	Levy A J	Pierce	Waters R B
Chanler	Gould	Lincoln	Saunders	Weil
Coffey	Gray	Macdonald	Schifferdecker	Wende
Collin	Gregg	MacGregor	Seeley	White
Colné	Gurnett	Manley	Shannon	Wilson
Connell	Hackett	Martin	Shea	Winters
Constantine	Hart	McCue	Sheide	Yale
Cosad	Hammond	McDaniels	Shepardson	Yeomans
Cuvillier	Hearn	McElligott	Shlivek	Young
Dawson	Herrick J J	McGrath	Shortt	Zorn
Day				

Mr. Wheeler moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith, amended as follows:

Page 4, line 26, strike out the words "neglect for".

Page 5, line 1, strike out the words "thirty days to execute and file such bond according to" and insert "well and faithfully discharged all the duties of his office and all".

Page 5, line 14, at end of line insert word "who".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Evans, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication was received from Hon. Charles Zuckmain, mayor of the city of Tonawanda, returning Assembly bill (No. 486, Int. No. 474), entitled "An act to amend the Tonawanda city charter, generally, and to repeal section five of title two of such charter," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. A. E. Smith, the House adjourned.

WEDNESDAY, MARCH 29, 1911.

The House met pursuant to adjournment in the Supreme Court Chamber in the City Hall in the city of Albany, N. Y.

Prayer by Rev. Ernest M. Graham.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That this Legislature accept the offer of the city of Albany to use its city hall as a place of meeting pending the repairs to the Assembly and Senate chambers in the Capitol building; and, be it further

Resolved (if the Senate concur), That the city hall of the city of Albany, New York, be and it hereby is designated as the Capitol of the State of New York for the purpose of legislative sessions and the transaction of legislative business until further designation.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. A. E. Smith moved a call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, and the following members responded:

Adler	DeLano	Hearn	McKeon	Smith A E
Ahern	Donnelly	Herrick J J	Merritt	Smith T K
Allen	Donovan	Herrick W R	Miller	Spielberg
Baumes	Drummond	Heyman	Monczynski	Stivers
Beach	Ebbetts	Higgins	Mork	Sullivan
Blauvelt	Egan	Hoey	Murray	Sweet
Boylan	Evans	Hoff	Myers	Talmage
Brace	Farrell	Hollmann	Neupert	Terry
Brennan	Fay	Hoyt	Nolan	Thorn
Brereton	Foley	Huber	O'Connor	Trombly
Bridenbecker	Friedman	Jackson	Oliver	Turley
Brooks	Fry	Jameson	O'Neill J J	Walker
Brown	Geatons	Kennedy	O'Neil M A	Waring
Bryant	Gerhardt	Keys	Pappert	Warren
Bush	Gerken	Kopp	Parker A	Washburn
Butler	Gillen	Lansing	Parker J S	Waters F A
Carew	Goldberg	LaReau	Patrie .	Waters R B
Caughlan	Goldstein	Lent	Phillips C W	Weil
Chanler	Goodman	Levy A J	Phillips J S	Wende

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PLAN OF INDEX.

This Journal is indexed upon the following plan:

1. Every bill relating to a locality may be found indexed under the name of that locality and ordinarily will not be found indexed under the subject to which it relates.

2. All bills relating to Kings county will be found under the New York, General, and all bills relating to Greater New York under New York City, General, and New York City, Charter.

3. Every general bill will be found indexed under the proper subject.

4. Every resolution, excepting those recalling bills, will be found under "Resolutions."

5. Every bill relating to canals will be found under "Canals."

6. The bills relating to general laws under the proper heads, i. e., "Banking Law," "Benevolent Orders Law," "Game Law," "Lien Law," "Revised Statutes," &c., &c., also under the head "General Laws."

7. All claim bills under "Claims."

8. Bills relating to cities of either class under "Cities of 1st Class," "Cities of 2d Class," &c., &c.

9. All code amendments under the heads of "Code Civil," "Code Criminal," and "Code Penal."

10. All petitions under "Petitions," and reports under "Reports."

11. All points of order under "Points of Order."

12. All decisions and acts of Speaker under "Speaker."

13. Privileges of floor under "Privilege."

14. All matters relating to bills under the proper head.

15. The numbers used in this index, viz.: "Int. No.," refers to Assembly bill and its introductory number, and when "Rec. No." is used, it refers to the Senate bill and its reception number.

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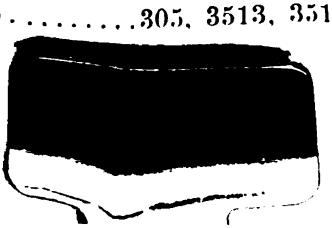

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